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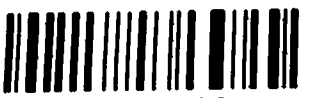
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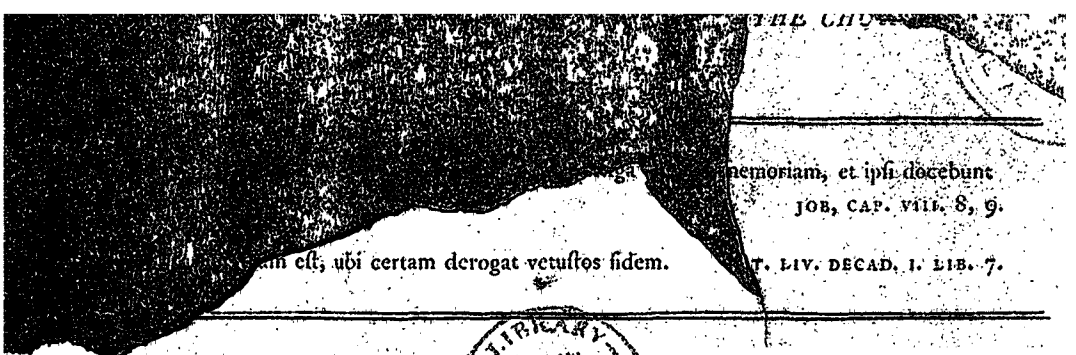
CASTLE OF ST. ANDREWS.



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ST ANDREWS:

PRINTED BY AND FOR JAMES MORISON, PRINTER TO THE UNIVERSITY.

1797.

DEDICATION.

To the moſt reverend Father in God

ALEXANDER,

BY DIVINE PROVIDENCE LORD ARCHBISHOP OF ST ANDREWS, PRIMATE AND METROPOLITAN OF ALL SCOTLAND.

MAY IT PLEASE YOUR GRACE,

THE following ſheets containe a faithfull accompt of your Lordſhip's ſee of St Andrews in its beginning, erection, advancement, priviledges, honours, revolutions, changes, untill now, and of ſome of your Grace's predeceſſors therein, &c. &c. I cannot ſay that I have performed this with that accuracie and elegance in ſtyle or contrivance that my dewtie and zeale (to do your Grace and the ſee ſervice) prompt me to, or the importance of the theme requires: Onlie I have endeavoured to expreſs that care and fidelitie that become a true ſone of the church, with a deſign to preſerve a juſt eſteeme of the gratitude and munificence of our princes, a veneration for the pietie and devotion of our anceſtors, and the worthy prelates of this ſee, and to beget ane utter abhorence of ſacriledge, ſchiſm, and rebellion.

If the materials of this treatiſe had come more plentifullie to my hands it had eaſily ſwelled to a greater bulk, and been better performed: But

I have been forced to collect ſuch fragments that yet remain of the broken and lame accompts that are left of theſe intervals of the church, eſpeciallie the later periods thereof, when popular tumults and ſedition defaced what our pious forefathers judged ſacred and beautifull, and the following generation thorow giddieneſs, blindneſs, or malice, endeavour to burie rather than bring to light any ſuch monuments as might contribute to this or the like uſefull diſcoverie. However, I have undertaken the work under theſe and moe diſadvantages, the path I have trodden in is unbeaten, the encouragements ſmall, the hopes of doeing any therein to purpoſe deſperate, and my unfitneſs for the work great; which conſiderations have oft made me condemne the deſign and deſponde when my hand was in; yet having propoſed to myſelf this ſervice to your Grace and this venerable ſee, I ſpared no labour to atcheive the ſame, and maugre all the difficulties and diſcouragements I have ſtudied to order theſe ſcattered memoirs that my care and ſcrutinie could retreive into this mean but true narration, and ſo far as my poor abilities could reach, and the nature of the documents I have ſeen would allow, I have ſtudied trueth and modeſtie, ſtill couching my warrands and authorities.

My Lord I have at length hardened myſelfe into the confidence of preſenting to your Grace and laying at your feet this tract ſuch as it is, naught in the method, courſe and forenſick in the ſtyle, unaccomptable in the tranſitions, unpoliſht and inartificiall in the wholl compoſure; praeſuming upon your Grace's exemplar and unflexible vertues, pietie

and

and honour (as much above flatterie as your Grace does generouſlie deſpiſe it) that have juſtlie raiſed your Lordſhip to ſo eminent a ſtatione in the church and put your Grace beyond the reach of their malice under whoſe tongues lie the poiſon of aſps; and the ſubject itſelfe is ſo ſacred and venerable and ſo nearlie related to what is ſo, that I durſt not without ſacriledge offer it any where elſe but where I know ther is the clemencie and compaſſion of a father, nor ſuffer it to ſeek ſhelter (being ſo lamely and uncouthlie handled) but wher ther is mildneſs and goodneſs; then which no thing elſe could have fortified my boldneſs to attempt the work, and after, thus to addreſs your Grace, which now I humblie preſume to doe in the confidence of your Grace's candor to favour this uſefull undertaking, and readineſs to forgive the deffects and eſcapes therof.

That the goodneſs and carefull providence of Almightie God may (hereafter as hitherto) watch over your Lordſhip, ſtrengthen your Grace to ſuſtaine the burden of your weightie charge, make your Grace to continue a great inſtrument for the good and comfort of the church; and when your Grace hath for many years moſt ſucceſsfullie ſerved the great Biſhope of our ſouls in your generation, that you may peaceablie exchange your mitre for a crowne and your rotchet for a robe of glorie, is the fervent deſire and prayer of,

May it pleaſe your Grace,

Your Grace's moſt humble ſervant,

August 1683.

GEO: MARTINE.

ADVERTISEMENT.

THE following work was written by Mr George Martine of Clermont, who ſeems to have held ſome office, probably that of Secretary under Archbiſhop Sharp.

A manuſcript of it, acknowledged to be a copy, was given ſome time ago to the Library in this Univerſity. Another manuſcript copy of it has been found in the Harleian Library. A third is in the poſſeſſion of the Reverend Dr Adamſon, Profeſſor of Civil Hiſtory here.

As theſe three copies were found upon compariſon to vary conſiderably from each other, and as the Univerſity copy is ſaid to have been tranſcribed from an original, in the poſſeſſion of David Martine of Edenſide, Eſquire, the repreſentative of Mr George Martine, the Editor applied to Mr Martine, who readily furniſhed him with his original manuſcript, from which the following pages are accurately printed, preſerving not only Mr Martine's ſtyle but his ſpelling, both of which had been much altered in the other manuſcripts. It will appear a curious ſpecimen of the ſtate of the language at that time, that, in the writing of an Archbiſhop's Secretary, the ſame word is differently ſpelt in different places.

The Univerſity copy, as well as Dr Adamſon's, contains ſome ſentences, and much curious matter, that do not occur in the original; theſe the Editor thought worthy of preſervation, and they are inſerted in their proper places between brackets.

The Editor intended to have given a number of notes explaining ſeveral local particulars; but he ſoon found that theſe would have been

ſo

ſo numerous as to have greatly exceeded the book itſelf: He has, therefore, inſerted only a very few.

In order to give the reader ſome idea of the preſent appearance of St Andrews, the following beautiful Views, engraved by the firſt maſters, accompany the work, viz.

I. The Cathedral of St Andrews with the Chaple of St Rule from the weſt.

II. The Caſtle of St Andrews.

III. A View of St Andrews from the eaſt.

St Andrews, Oct. 1797.

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ERRATA.

PAGE	49,	LINE	3 from bottom, for bellua, read belluae.
.....	168,	.....	10, for Dumfermline. read Dumferline.]
.....	202,	.....	16, for Archidiacono. read Archidiacono.]
.....	238,	.....	25, for Zenodochii, read Xenodochii.
.....	244,	.....	17, for buſband, read huſband.

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER I.

OF THE HEATHENISH PRIESTS IN THE ISLE BEFORE CHRISTIANITIE.

SECTION I.

OF THE ANCIENT BARDS.

LONG before the incarnation of the Son of God, and ſome time after, till Britain became Chriſtian, and that excellent religion gott footing there, the inhabitants had their own heatheniſh and idolatrous worſhip and ſuperſtition, wherein they were as zealous, wicked, and ridiculous, as other nations under Paganiſm, having their prieſts of a verie ancient date, and in great veneration.

Of theſe prieſts the firſt we read of in this iſle were the bards, a moſt ancient, religious order; being, as authors record, poets and ſingers, muſicallie reciting the praiſes of great men, uſing inſtruments to that purpoſe, eſpeciallie the Nablium *, which had thirteen ſtrings, and was

* Aylet Sommes Antiq. Britan.

played upon with the fingers, and the Cynira, which had ten, and was played upon with a quill, or other thing; none of which was the harp, as ſome have conjectured. The bards, at firſt, ſung of the eſſence and immortalitie of the ſoul, the works of nature, the courſe of the celeſtial bodies, the harmonie of the ſpheres, the praiſes of the gods, and the virtues of great men: Yet, according to Buchanan, they wanted letters. They were much uſed in deifying great men, ſinging the heroes praiſes at their apotheoſes; an act then eſteemed glorious to the dead, uſeful to the living, and acceptable to the gods.

Jo. Johnſtoun, in his preface to the Scots Heroes, thus mentions the bards: "Quamvis intelligunt omnes plus ſemper virium et induſtriae "Scotis fuiſſe ad res gerendas, quam commendationis ad praedicandas, "habuerunt tamen antiquitus, et coluerunt ſuos Homeros et Marones "quos bardos nominabant. Hi fortium virorum facta verſibus hero- "icis, et lyrae modulis aptata concinebant; quibus et praeſentium ani- "mos acuebant ad virtutis gloriam, et fortitudinis exempla ad poſteros "transmittebant: Cujusmodi apud Cambros et priſcos Scotos necdum "deſiere, et nomen illud patrio ſermone renitent."

This cuſtome was derived firſt from the eaſtern nations to the Greeks, who ancientlie had all their divinitie in verſe, and upon ſolemn occaſions ſung the praiſes of the gods:—thereafter it came to the Latins. But the bards, at length, degenerated by degrees into common ballad-makers; for they gave themſelves up to the making of myſtical rhymes, and to magic and necromancie. Sundrie authors have mentioned the bards, as Strabo, and Ammianus. And thus Lucanus of them:

"Vos quoque qui fortes animas, belloque peremptos,
"Laudibus in longum, vates, diffinditis aevum,
"Plurima ſecuri fudiſtis Carmina bardi."

To

To our fathers time and ours ſomething remained, and ſtill does, of this ancient order. And they are called by others, and by themſelves, jockies, who go about begging, and uſe ſtill to recite the ſluggornes * of moſt of the true ancient ſurnames of Scotland from old experience and obſervation. Some of them I have diſcourſed, and found to have reaſon and diſcretion. One of them told me there were not now twelve of them in the whole iſle; but he remembered when they abounded, ſo as at one time he was one of five that uſuallie met at St Andrews.

SECTION II.

OF THE DRUIDS.

THE next religious order of heathen prieſts in this iſle (whoſe religion of old was Paganiſh ſuperſtition, there being many idol gods, and the people uſing mens fleſh in their ſacrifices,) was that of the druids, the chief prieſts and inſtructors of the people. Theſe ſupplanted the bards, and put them out of requeſt; yet retained the moſt uſeful of their cuſtoms and opinions, as the immortalitie † of the ſoul, adding thereto its tranſmigration. They committed nothing to writing in the vulgar tongue, but delivered their myſteries by a ſecret cabbala, as the Jews, whereof

* *Sluggornes, ſlughorns*, are watch words, or cris de guerre, as the French call them. Every family or clan has its own, which is either deſcriptive of the family ſurname, or of the family ſeat, or of the place of rendezvous where the clan was to aſſemble in time of war. The Mackenzies have for their ſlughorn (or ſlogan, as it is pronounced in the ſouthern counties of Scotland), *Tulloch Aird*, which is the place where the clan meets. This word or cry was proclaimed every where by a perſon carrying a croſs of wood burning at each end, or a fiery croſs; by the ſight of which, and by the ſlughorn or war cry, all the individuals of the clan were advertiſed to meet at a certain place. A hand carrying a fiery croſs is borne in the arms of ſome of our old families, as the Macleans.—*Editor.*

† Aylet Sommes Antiq. Britan.

whercof none were permitted to know any thing unleſs they were admitted into the order, and endured the ſeverities of a long and tedious diſcipline. Their public records were kept in the Greek tongue, in Greek characters: and none who knew any thing of their way were allowed to carrie it off in write, but in their memorie onlie.

It is reported that the druids in this iſle, of old, had two primates. One reſiding in the Iſle of Man, then belonging to the Scots, given them for their reſidence, where their chief governor had his ordinarie abode; the others that were under him were ſcattered up and down, and diſperſed "at ſacris intenderent," ſaith Boetius. The other in Angleſey. Others think there was but one head among them, to whom they reſorted once a year in their public meetings.

The primate was conſtituted by election. His place was eminent, and he had great authoritie. Fire was carried before him as inſigne honoris et dignitatis. They had among them a kind of excommunication as their greateſt and moſt grievous puniſhment: and theſe ſo puniſhed were incapable of honourable offices, and were excluded from the benefit of law as to their eſtates. The druids had alſo leſſer puniſhments for the contemners of religion, and conſiderable rewards for the obedient.

Theſe druids were in ſuch eſteem that they were made judges of all controverſies, private and public, civil and criminal; and ſometimes puniſhed the governors themſelves. They were the onlie interpreters of religion, in the performance whereof their preſence was abſolutelie neceſſarie. They proclaimed public ſacrifices, whereat they ſacrificed both men and beaſts. The men were enemies, malefactors, and ſometimes the innocent natives, they determining whoſe blood would be moſt acceptable to the gods. From them came the invention of the wicker image, the icon whereof is to be ſeen in Sommes: and it is mentioned by ſundrie authors, as Olaus Wormius, (from Beroaldus in Lucanum) monumentum Danicorum, Lib. I. p. 30.

The

The druids were exempted from war and taxes, whereby many were invited to enter into the order, which Caeſar, Tacitus, and Plinie think begane in Britaine, expreſslie aſſerting "Druidum religionem ortam in "Britannia, et inde in Galliam translatam." In Britaine and France they exceedinglie abounded. Buchanan alledges we read of them no where elſe; yet the Greeks had their Dryades and Hamadryades, who were only of the female ſex among them, but in Britaine they were of both ſexes. From this, ſome think that Britaine had the inſtitution from Greece.

They abounded in Scotland. And in the time of King Finnanus, our tenth king, they were Eccleſiae Duces, and called in our old language, Ducergliis *.

Theſe Scotiſh druids had the oake in great veneration, and any thing growing upon it, eſpeciallie the miſletoe, which they gathered with great and ſuperſtitious devotion, cutting it down with a golden bill, and many other heathen ceremonies. They choſe groves of oake only to officiate divine ſervice in, for which purpoſe they planted many; and without a branch of it they performed no ſacrifice, which was an abuſe of an ancient cuſtome early introduced in the worſhip of God, for an oake was the ordinarie place of Abraham's worſhip and devotion, Gen. xxii. 33. And from this the religion of the Gentiles derived its oaks and groves, particularlie the druids, the great and almoſt only maſters and directors of all learning and religion among the ancient Britans, hence borrowed their originall, who lived whollie under oaks and in groves, and there delivered their doctrines and precepts, and exerciſed all their religious and myſterious rites †.

They were called Druids from Δρυς, i. e. quercus, and Saronides from Σαρων, i. e. robur, which with Camden ſignifie the ſame thing. With the

 Saxons,

* *Ducergliis.* Thus in all the copies.—*Editor.*

† Dr Cave's Apparatus to his Antiquitat. Apoſtol. p. 9. Camden's Britan. p. 13. impreſs 1590.

Saxons, drij, idem eſt quod magus. Others derive their name from Trowis, which in the German tongue, ſignifies one ſkilful in trueth; but Sommes rejects the derivation, becauſe the Germans had no druids, and the etymologie is harſh. Others bring druids from the old Britiſh word Trutis, a god; and would have them to be called truti, i. e. religious perſones. In Caeſar's days they were called Derwydden, from the Celtic word deru or derw, both coming from δρυς an oak, the latter derw being ſtill retained among the Welch, the true deſcendants of the ancient Britans.

At the firſt the druids were learned in naturall philoſophie, and were men of morall converſation, and for religion not ſo groſslie ignorant and ſuperſtitious as other heathen prieſts; for, ſays Spotſwood, they taught that there was only one God, whom it was not lawful to preſent in ane image; that the ſouls of men did not periſh with their bodies; that there were rewards after death. They lived in great reſpect with all ſorts of people, and ruled their affairs politicallie. Yet, at length, moſt of them came to be much addicted to magick, and foretelling things to come; and ſome of them embraced the Chriſtian religion (ut infra, chap. ii. ſect. 1.). The name of druid continueth ſtill among the Iriſh and Scotiſh highlanders; for not only in the hiſtories and romances written by their Senecios or Shannachies, mention is made of an enchanted horn, called by them corn-druid-heacht, ancientlie in uſe in thoſe parts. But the tranſlator of the New Teſtament into Iriſh, Matth. ii. 1. renders Magi by Druids; and, Acts viii. 9., Simon Magus is called Simon the druid; and it is ſaid that he wrought druidh, i. e. ſorcerie. Acts xiii. 8. Elymas the ſorcerer is called Druidh.

[For a fuller account of the druids among the Scots, and their inſtitution, religion, worſhip, ceremonies, and manner of living, ſee theſe authors whom I find referred to by Mr Robert Maule, a learned antiquarie.

quarie. Gulielmus Poſtellus, Lucanus, Joannes Aventinus, Plinius, Nat. Hiſt. lib. xxx. cap. 1. et lib. xvi. cap. 44. Julius Caeſar de Bello Gallico, lib. vi. Herodotus, lib. vii. Pomponius Mela, lib. vi. cap. 2. Cicero, lib. i. de Divinatione. Lambridius in Alexandro. Strabo, lib. iv. Luranus, lib. i. Ammianus Marcellinus, lib. xv. Diodorus Siculus, lib. v.]

SECTION III.

OF THE FLAMENS AND ARCH-FLAMENS.

THESE were alſo a ſort of heathen prieſts in this iſle before Chriſtianitie, and had this denomination from a thread or ſtring with which they bound their heads according to Varro; or from a bonnet which they wore on their head according to Plutarch.

In Britaine (that is, in that part of the iſland now called England, which oft in old authors gott the name of the whole,) there were firſt conſtitute twentie-eight Flamens, and three Arch-Flamens, who burnt incenſe, and offered up ſacrifices to the Pagan gods, whoſe temples (upon the preaching of the goſpel in England by Faganus and Damianus, who were ſent by Eleutherius, then biſhop of Rome, in the reign of King Lucius (circa ann. 180.) for that effect,) were converted into Chriſtian biſhops ſees. But it cannot be upon any good ground vouched that theſe gott anie footing in this part of the iſle called Scotland, hiſtories being ſilent in this particular. Yet it is not to be doubted but the hiſtorie and tradition concerning theſe in England ought to be received, ſo many authors having born a ſufficient teſtimonie to that point. And it is certainlie believed and aſſerted by many authors, that theſe Arch-Flamens had their principall ſeats in theſe three conſiderable cities, London,

don, York, and Caerleon, (now called Weſt Cheſter, and ſome time before, Glemorgane). And when Chriſtianitie took place there, it was continued a biſhoprick ſome time, but was tranſlated to St David's.

In Rome everie Flamen looked after the proper offices and dewties of their particular gods; and, at firſt, there were but three of them, viz. the Flamen Dialis, the prieſt of Jupiter; Flamen Martialis, the prieſt of Mars; and Flamen quirinalis, the prieſt of Romulus: but afterwards everie god had his own flamen. The Romans of old, beſides their flamens, had their prieſts of other kinds and deſignations, as the Pontifices, Augures, Curiones, Feciales, Veſtales, Salii, and the Duces Clerum. See Duarenus de Sacris Eccleſiae Miniſtris, from p. 95 to p. 101.

Theſe flamens had not any ſacerdotall power or juriſdiction over any particular province, nor did they officiate alone in a pariſh, albeit ſome of them were called the greater Flamens, others the leſſer. This was not from their power, but from the antiquitie of their order, the firſt three being inſtitute by Numa, (the firſt founder of religion among the Romans); the reſt by the commonalitie, who, at length, had an infinite number, and a great varietie of prieſts of diverſe names and offices, whoſe inſtitutions and employments may be ſeen in Cantelius his book de Romana Republica, pars. 2. diſſert. 3. a pag. 302 ad 317.

CHAPTER

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER II.

OF THE CONVERSION OF BRITANNE TO CHRISTIANITIE.

SECTION I.

OF THE CONVERSION OF THE SCOTS.

ALMIGHTIE God, out of his infinite goodneſs and mercie, at length was pleaſed to diſpell the cloud of ignorance and heathen idolatrie that overſpread this iſle, and to open the blinded eyes of the inhabitants, by ſending his goſpel and the Chriſtian religion among them; firſt, as it is commonly believed, to the ſouth parts of the ſame (now called England,) very early, even in the firſt centurie. Uſher's words are, "a primo "ortu evangelii ſuſceperunt Britanni fidem Chriſti," out of Gildas, by the preaching of James the ſon of Zebedee, Simon Zelotes, S. S. Peter and Paul, Philip, Joſeph of Arimathea, Ariſtobulus (named by St Paul, Rom. xvi. 10.) in the manner largelie accompted for by moſt of their wryters, but eſpeciallie Uſher in his book de Eccleſiae Britanniae Primordiis.

mordiis. Not long after (i. e. within twentie-two years, as ſome Engliſh-ers grant), came the Chriſtian faith into Scotland, and among the Scots then inhabiting the weſt part of it and the iſles, while the Apoſtle St John yet lived, ſay ſome. Dempſter aſſerts, that the Apoſtle Barnabas preached and ſpread the goſpel in Scotland, there baptizing St Beatus. However that was or was not, Spotſwood, a worthie and grave author, affirms, that under Domitian's perſecution, when St John was relegated to Patmos, ſome of his diſciples took refuge here, and that the Scotiſh church long obſerved and followed the practice and authoritie of St John in the matter of Eaſter, from whoſe diſciples they received the faith, as they pleaded, about two hundred years after. Origen reckons us, inter primitias, the firſt fruits of the Gentiles gathered to Chriſt; and Petrus Cluniacenſis calls the Scots, antiquiores Chriſtianos, of greater antiquitie than many others. [Poſſevin the Jeſuit cites a MS. written by George Thomſon, bearing this teſtimony, "Ea erga illos (Scotos) divina extitit providen-"tia, ut inter primos fere Europae populos Chriſtianam fidem ſuſcepe-"rint, ac longiſſimo eam diligentiſſime conſervarint," p. 457. which may be underſtood of the eaſie converſion of the Scots to Chriſtianitie in ſmall numbers, before the national converſion in the reign of King Donald, about the year 203, upon the occaſion after mentioned. The hiſtorian words it well when he ſaith "Scoti evangelium ex parte acci-"perunt;" and it is obſervable what Fordun writes of our converſion (cited by Dempſter, apparat. p. 22.), "Nullus unquam populus leviore "opera ad Chriſtum eſt converſus, et tantus fuit ad doctores concurſus, "ut baptizando populo ſacerdotes deeſſent."]

It may poſſibly ſeem ſtrange that the converſion of the Scots to Chriſtianitie ſhould be made ſo ancient; yet, when it is remembered that the Chriſtian apologiſts do at every turn make mention of the vaſt extent and progreſs of Chriſtianitie, and withall remember the diſci-

pline

pline under which the Scots were trained, I mean the philoſophie of the Druids, the moſt cleanlie, pure, and naturall of all the Pagan religions, as the belief of one God, and immortalitie of the ſoul, prediſpoſing them to comply with the doctrine of Chriſtianitie, which doth rather advance and perfect, than deſtroy theſe notions they had from the philoſophie of the Druids, there is nothing incredible in it.

[The point of the Scots early converſion to the Chriſtian faith being ſo well evinced and irrefragably proven, by that worthy and learned gentleman Sir George Mackenzie, his Majeſty's advocate, in his late book, intituled, "The Defence of the Royal Line of Scotland," againſt the Biſhop of St Aſaph, and the proofs thereof ſo clear and evident, it were but needleſs to repeat the ſame here, or any farther to inſiſt upon the authorities cited by him; but it ſhall ſuffice to aſſert, that our converſion to the Chriſtian faith, was, at leaſt, in the ſecond century, for which his Lordſhip has urged the matter with good reaſons, and ſufficiently improven that famous piece of Tertullian, in his book againſt the Jews, cap. vii. "Britannorum inacceſſa Romanis Loca, Chriſto "vero ſubdita," which is applied to us by Cardinall Baronius, tom. v. p. 587. ſect. 13. ad ann. 429, verba ultima; conſule etiam, ſect. 4 et 5. Item, ſee Dempſter's apparatus ad Hiſt. Scoticam, p. 22. Alſo Sir George Mackenzie his Defence of the Royal Line of Scotland, p. 91, 92. 102. et ſeqq.] When this is duely conſidered, it may be ſafely ſaid that the Chriſtian faith was received among the Scots, currente ſaeculo ſecundo; for Tertullian could not with ſo much confidence, and in ane affair of ſo much importance, have aſſerted the converſion of the Scots, unleſs it had been received as a trueth among all Chriſtian churches, that the Chriſtian religion had ſpread into ſuch a place a conſiderable time before the wryting of that book adverſus Judaeos. Now the Loca Romanis inacceſſa in Britane being only to be underſtood of Scotland, to which the

the Romans had never then come, and being that all Britanne beſyde at that time was ſubject to them, and theſe places being ſo ſoon converted, it may be rationally aſſerted that the places which the Romans ſubdued were ſooner acquainted with Chriſtianitie, becauſe the Roman armie was in a manner filled with Chriſtians, as the ſame Tertullian tells us in his Apology. So the leaſt we can allow for the converſion of the Scots, is to make it contemporarie with Irenaeus his entrance to the ſee of Lyons, anno 179, and that without all hazard of fiction and conjecture.

Some of our hiſtorians, and Baronius, have aſcribed the generall and nationall converſion of the Scots to the Chriſtian faith to Victor Biſhop of Rome, [ſucceſſor to Eleutherius, who, according to Fordun, ſent hither Paſchaſius, a Sicilian monk, firſt to plant Chriſtianity in this kingdom, as that author is cited by Dempſter in his apparatus, lib. i. cap. 22, 23, where he gives Fordun's proof, and ſo makes it] ſome twentie-four years later, and to fall in the year 203, in Donald the firſt his reign, the twenſeventh Scots king, the firſt Chriſtian king in the world; [albeit the Britans contend that their King Lucius was converted to the faith ſome years before our King Donald, which Dempſter diſproves, alledging Lucius not to have been a Britiſh king, but a Regulus of Scotland.]

Another occaſion of our converſion, they ſay, happened when many Chriſtians came to this kingdom, flying from the ſeverall perſecutions raiſed by Domitian, Aurelius, Conſtans, and Diocleſian, and ſeeking new habitations, whom King Donald [firſt publicly, and others before him privately, though not ſo avowedly,] kindly received and entertained. And thus our hiſtorians will have that time to be compted the aera of the Scots converſion, conforme to the old diſtich in Fordun, Major, Uſher, and Biſhop Leſlie. [Spotſwood, indeed, reaſons againſt it. Baronius ſays, that in Pope Victor's time, Scotia in parte Chriſtiana facta eſt.] The verſe is,

" Chriſti

" Chriſti tranſactus tribus annis atque ducentis,
" Scotia Catholicam coepit habere fidem."

Theſe accompts are no ways inconſiſtent, if it be conſidered that the latter is only underſtood of the nationall (i. e. king, nobles, and people their) embracing the Chriſtian faith, whereof a great part was proſelyted before, conforme to Tertullian's irrefragable teſtimonie. However, the Engliſh writers, as their cuſtome is, labour to diſparage our converſion to the faith, as they do every thing elſe that is for our honor. Yea and Uſher, Cambden, and others of great name in that nation, want not a twang of that epidemic infection; but eſpecially Dr Loyd, Biſhop of St Aſaph, in his late peece, famous enuff, but (in that point) ſufficientlie refuted by Sir George Mackenzie, his Majeſty's advocate, in his defence of the Antiquity of the Royal Line, p. 112 et ſeqq.

Theſe perſecuted and flying Chriſtians, who came to this realme in the time of Diocleſian, were all kindly received by Cratilinth, the thirty-fourth Scots king (whoſe great work it was to purge the kingdome of heathen ſuperſtition), who gave them the Iſle of Man, formerly belonging to the Druids, for their reſidence, and certaine revenues for their maintenance, there building for them the Fanum Sodorenſe: Hence the biſhops of the iſles are ſtill called Epiſcopi Sodorenſes. This king had a great love to the Chriſtian profeſſion, and deteſtation of the old idolatrous rites; and from that principle, ſuppreſſed and expelled ſuch of the old Bards and Druids, the then prieſts, as did not become Chriſtians, not without ſome difficultie, by reaſon of the eſteeme kept up for them among the people. And about the year 277, he employed theſe Chriſtians to aſſiſt him in rooting out heatheniſme, and planting and ſettling Chriſtianitie, which, during his reigne, proſpered exceedinglie; and in the time of Fincormachus his ſucceſſor, was perfectly ſettled among the

Scots, and from that time hath continued in this nation till this day, without the leaſt apoſtaſie to heatheniſme. [Dempſter ſays, " Illud laude " aeterna digniſſimum, Scotos a ſuſcepta fidei veritate nunquam decli- " naſſe." And it is ane obvious obſervation, that generally, ſtill the kings and the people ever have had a veneration to the Chriſtian religion, and many of this nation have been moſt eminent Chriſtians. Baronius, tom v. ad ann. 429. ſect. 5. " Qui (Scoti) evangelium a Victore " accepere, et a coeleſtiſſimo Papa primum Epiſcopum (Palladium) a quo " omnes ſunt penitus redditi Chriſtiani, eatenus Chriſti gratia profecere, " ut qui olim gentilitio ritu viventes, ob ferinos mores oſtentui erant " humano generi, poſtea omnium praeſtantiſſimi evaſerunt Chriſtiani, " Chriſtianamque fidem ſumma diligentia excellentes apoſtolico mu- " nere, in exteras gentes longe poſitas, latiſſime atque locupletiſſime " propagarunt." Alſo the ſame author ad ann. 634, " Honorius Papa " dicit eſſe Scotos Chriſtianos antiquos, et evangelicae vitae cultores " eximios." And Dempſter's apparat. lib. i. cap. 9. p. 33, 34. Surius, tom. iii. ad diem 8 Maij, " Scotia fertilis ſanctorum, et ſtellarum nu- " merum prope aequans ſanctorum patrociniis." And Dempſter ſays, " Scoti variarum nationum fuere apoſtoli." ib. p. 37. See the monaſteries founded by Scotſmen in foreign nations, lib. i. cap. 2. Item vid. Poſſevini apparatum ad hiſtoriam omnium gentium, p. 464, 467; and for the monaſteries and abbeys founded by and for Scotſmen, both in their own country and in foreign parts, ſee David Camerarius de Scotorum fortitudine, doctrina, et pietate, lib. iii. cap. 3. p. 67. edit. Paris, 1631.]

And I deſire it may be obſerved, that of all the nations in Europe there is not one but hath afforded more renegadoes from the Chriſtian religion, to the Jew and Turk, than Scotland, it being a rare thing to hear of a renegado Scot even in ane age; and yet they are as much and as often rambling through the world as others, [as witneſs that old ſaying,

ing,—" Scotigenarum conſuetudo peregrinandi pene in naturam verſa " eſt," cited by Dempſter in his apparat. lib. i. cap. 3. p. 10. repeated p. 35, and which he quotes from Wallafridus Strabus, Abbas Auyjenſis, lib. ii. cap. 10. in vita Sancti Galli. And he adds, " Sed hoc valde in " Scotis eſt admirandum, uno eodemque tempore regem et populum in " fidelium communionem ſuſceptos, ita illud laude aeterna digniſſimum " Scotos nunquam a ſuſcepta fidei veritate declinaſſe, nec heretico ulli " contra eccleſiam adhaeſiſſe donec nuper Jacobo Vto. mortuo," &c. And he cites this expreſſion in the life of St Columba, " Scotorum gens " Chriſtianae religionis dogmata florens ita ut omnium vicinarum gen- " tium fidem excellant," p. 33.

Sometime after King Fincormachus, i. e. about the middle of the fifth century, came Palladius, a Graecian, from Rome into Scotland; who, propagating the goſpel, ſent Sextanus, one of his diſciples, to Orkn and he employed Tervanus, another, among the northern Pights with him. St Patrick, a Scotſman, born near the river Clyde, was contempo- rary; and about that time he converted Ireland to the Chriſtian religion.]

SECTION II.

OF THE CONVERSION OF THE PIGHTS TO CHRISTIANITIE.

THE Peights, Pights, or Picts, who inhabited of old all the eaſt coaſt of this kingdome, with the inland countrie thereof, had not the bleſſing of the goſpel ſo earlie among them as their neighbour nation, the Scots; although it be believed, that ſhortly after the converſion of the Scots [i. e. about ane hundred years, as ſome compt], the Pights in ſmall num- bers came to embrace the faith. Others think that that kingdome and people

people was Chriſtian as early as the Scots, by reaſon of their vicinitie to, and converſe with the Chriſtians among the Romans. But ſome conjecture that the grand and chief occaſion of the Pights their generall and nationall turning to Chriſtianitie from heatheniſme was as follows. During the exile of the Scots, after their great overthrow at the water of Downe, in Carrick, where King Eugenius the firſt was killed (albeit Bede makes it later), one Regulus, a Greek monk, living at Patrae, a citie of Achaia, by whom the relicts of St Andrew the Apoſtle were preſerved and kept, about the year 370 (but according to Dempſter, in the year 365, in his apparatus, p. 64.), was warned in a viſion by night (three nights before the Emperor Conſtantius came to the citie with a purpoſe to tranſlate theſe relicts to Conſtantinople), to goe to the ſhrine in which relicts were kept, and to take out thereof the arm-bone, three fingers of the right hand, a tooth, and one of the lids of the apoſtle's knees, which he ſhould carefullie preſerve, and carrie with him to a region towards the weſt, ſituate in the utmoſt parts of the world. Spotſwood names the country, Albion. Regulus, at firſt, troubled with the ſtrangeneſs of the viſion, after a little time reſolved to obey: So putting the relicts in a little box, he went to ſea, taking compartners with him, Damianus a prieſt, Gelaſius and Tubaculus two deacons, eight heremites, and three devoted virgins, whoſe names are expreſſed in ſundry ancient records, ſays Fordun, in the Scoti Chronicon, lib. ii. cap. 59, 60, 61. See them in Uſher, p. 656; and the Liber Paſletenſis, lib. ii. cap. 47, as cited by the MS. of the biſhops and arch-biſhops of St Andrews.

After they had with much toyle and hazard paſſed through the Mediterranean ſea, they coaſted alongs France and Spaine, and after long travel fell into the Germane ocean, where they were long toſt with grievous tempeſts, till, at laſt, by force of a ſtorme the ſhip was driven into the bay, near the place where St Andrews now ſtands, and there

ſplit

ſplit aſunder on the rocks; but Regulus and his companie were all brought ſafe to ſhoare, having nothing left them but the relicts, which they were carefull above all things to preſerve.

As to the viſion thus narrated, albeit Spotſwood and Uſher, two excellent authors, lay ſmall ſtreſs upon it, and the latter compts it no better than a fable, p. 654, yet neither of them, nor any other author of credite ever called in queſtion or diſproved Regulus his coming to this kingdome and place above named with St Andrew his relicts, nor the reſt of the hiſtory in the other circumſtances thereof; and our writers, beſides theſe formerly named, have borne teſtimonie to the ſame, as Hector Boethius, lib. vi. fol. 108. and Leſlie, lib. iii. in Fethelmaco. Buchanan, indeed, omits it: but his temper is known.

The fame of their arrival and of the relicts they had brought with them being ſpread abroade, many of the Pights, in whoſe kingdome they had ſettled, at the place now called St Andrews, reſorted to them; ſome for devotion, others for curioſity. And amongſt others, Herguſtus, King of the Pights for the time, and who then had dominion of that part of the countrie, coming hither, when he had beheld the gravitie and pietie of the men, and the forme of their ſervice, was ſo taken therewith that he ſettled a conſtant abode for them in the ſame place, and took order for their entertainment. The place then was a forreſt for wild boars, and was called in the countrie language, Muccroſſe, i. e. a Land of Boars, from Muc a ſow, and Roſs a land or iſland. Archbiſhop Uſher mentions another place of the ſame name, Mucroſs, which he derives from the Britiſh Mock Rhos, porci locus, lib. de Britan. Eccleſ. primordiis, p. 445. This king changed the name of the place afterward into Kylrymont, i. e. Cella Raimondi, vel ſecundum alios, Cella Regis in Monte, or Regmund. See Cambden's Britannia, fol. 703. Shortly after, Herguſtus gave to Regulus and his company all the lands of that forreſt, with all the men dwelling

therein, ſays the MS. and his own palace, ſays Spotſwood and Leſlie; and neare thereto erected a church, the ſame whereof (with the ſteeple yet entire) we ſee a pairt yet remaining on the ſouth-eaſt ſide of the ruined cathedral (built many years after), called to this day the church of St Rewle; [of which place Dempſter in his apparat. p. 62, "Sti An-" dreae Fanum nobile eſt terra et mari convenarum emporium, com-" modo in Fifa ſitu conditum ab Herguſto Pictorum Regi, in gratiam " Sti Reguli, nominatumque Kirkrewel, quaſi Reguli templum, et a " Pictis Regmund, vel Conrumunt." An old memorial bears, that Oeng or Ung, King of the Pights, granted unto God and St Andrew that it ſhould be the mother of all churches in the kingdome of the Pights, Cambden redevivus, p. 119.]

Here did Regulus and his company abide, himſelf living thirtie-two years after his arrival, ſerving God devoutlie, and for their auſteritie of life were in great reputation with all men. And the good and holie lives of Regulus his companions and their ſucceſſors, living in cells at St Rewles church, was the occaſion, and proved the effectual meane both for the kindly reception and good opinion, veneration, and entertainment of the Chriſtian religion and theſe religious men, among that bloody, ſavage, and barbarous people, the Pights: and did contribute to the recalling of the Scots in the time of King Fergus the ſecond, as ſome conjecture. After which religion began to thrive apace in both kingdomes; for this Fergus the ſecond being ſettled, and the minds of the Scots and Pights being calmed, and their animoſities in ſome meaſure allayed by the goſpell and its precepts, he put all things in the church and ſtate in the former good order they had been in before the expulſion of the Scots, reſtoring the churchmen to their places, and erecting for them a a religious houſe in the Iſle Jona, now Icolme Kill, the ſeat of the biſhops of the iſles to this day, and endowed their library with ſome books he had

had brought with him from Rome, at the ſacking whereof he was preſent under Alarik King of the Goths. [The famous Bede, lib. iii. cap. 4. et lib. v. cap. 10. aſcribes the building of this religious houſe to St Columba, after the year 565.

For all we have ſaid of the Pights earlie converſion, the ſame Bede, Hiſt. Gent. Anglorum, lib. ii. cap. 4. aſcribes the converſion of the ſouth Pights to Ninian (a Britan he calls him), who lived not long after the arrival of Regulus, i. e. near the end of the fourth centurie; and of the north Pights to St Columba, in the year 565, at leaſt he preached among them: and yet the ſame author, in the laſt words of chap. iii. of that book, ſays, "Picti Scotorum Monachis praedicantibus "fidem Chriſti acceperunt."]

The place and prieſts there, at length, acquired and long enjoyed a great veneration for their devotion, ſo that many came from forraine places to viſit them and the ſacred relicts of St Andrew, which were long here kept and preſerved moſt carefullie. One of thoſe pilgrims, at his being at the place, left a votiva tabula hung up in the church with theſe verſes;

Hic ſinus iſte Maris, male fertile littus, opima
Tranſcendit patriae fertilitate loca.
Hic regio, prius orba, viret; paupercula pridem,
Nunc dives; dudum foeda, decora modo.
Huc etenim veniunt orare remota tenentes
Caſtra viri; patrio turba profecta ſolo.
Francus magniloquus, belli Normannus amator,
Textor Flandrenſis, Theutonicuſque rudis,
Anglicus, Almannus, Hollandus, Pictavus expers
Velleris; et caedis Andegavenſis amans;

Qui Rhenum Rhodanumque bibunt, Tiberimque potentem,
Andreae veniunt huc adhibere preces,
Nos quoque, ſi tantos inter modo nomen habemus,
Venimus huc vecti proſperiore rota.

Archbiſhop Uſher alſo mentions ane old commentarie of one of the Culdees of St Andrews, which hath this to our purpoſe: " Ex hac itaque " civitate, Archiepiſcopatus eſſe debet totius Scotiae, ubi apoſtolica ſedes " eſt; nec abſque Concilio ſeniorum iſtius loci ullus Epiſcopus in Sco- " tia debet ordinari. Haec eſt Roma ſecunda a prima, haec eſt civitatis " refugii praecipua, haec eſt Civitas Civitatum Scotiae," &c.

This citie of St Andrews became a place of very great note and reſpect, ſo that learned men have not ſpared to honor it with their pens and poems: witneſs John Johnſtoun, a polite ſcholar, and a famous profeſſor of theology in the new colledge of St Andrews in the laſt centurie, who gives the place this eulogium:

Imminet Oceano, paribus deſcripta Viarum
Limitibus, pingui quam bene ſepta ſolo.
Magnificis opibus, ſtaret dum gloria priſca
Pontificum; hic fulſit pontificalis apex.
Muſarum oſtentat ſurrecta palatia coelo,
Delicias hominum, deliciaſque deum.
Hic nemus umbriferum Phoebi, Nymphaeque ſorores,
Candida quas inter praenitet Urania.
Quae me longinquis redeuntem Teutoni oris
Suſcipit, excelſo collocat inque gradu.
Urbs nimium felix, Muſarum ſi bona noſſet
Munera, et aetherei Regna beata Dei.

Pelle malas peſtes urbe, et quae noxia Muſis,
Alme deus, coeant Pax Pietaſque ſimul.

And Dr Arthur Johnſtoun, phyſician in ordinary to King Charles the firſt, in his epigrams upon the towns of Scotland, edit. Middleburg, 1642, hath beſtowed the following elegant poem upon the city of St Andrews, which reſpects both its priſtine and modern ſtate.

Urbs ſacra nuper eras, toti venerabilis orbi,
Nec fuit in toto ſanctior orbe locus.
Jupiter erubuit tua cernens templa ſacello,
Et de Tarpeia multa querela fuis.
Hoc quoque contemplans Epheſinae conditor aedis,
Ipſe ſuum merito riſit et odit opus.
Veſtibus aequabant templorum marmora myſtae,
Cunctaque divini plena nitoris erant:
Ordinis hic ſacri princeps ſpectabilis auro
Jura dabit patribus, Scotia quotquot habet.
Priſcus honor periit, traxerunt templa ruinam,
Nec ſupereſt myſtis, qui fuit ante, nitor.
Sacra tamen muſis urbs es, Phoebique miniſtris;
Nec major meritis eſt honor ille tuis.
Lumine te blando, muſas qui diligit, Oeos
Aſpicit, et roſeis molliter aſtat aquis.
Mane novo juxta muſarum murmurat aedes
Rauca Thetis, ſomnos et jubet eſſe breves.
Proximus eſt campus, ſtudiis hic feſſa juventus
Si recreat, vires ſumit et inde novas,

Phocis amor Phoebi fuit olim, Palladis arte
In te jam ſtabilem fixit uterque locum.

SECTION III.

OF THE CHRISTIAN PRIESTS CALLED CULDEI.

THE religious men of theſe times came to be in ſo good ane opinion and reſpect with the kings and people, that often the verie cells wherein they lived, were, after their death, turned into temples. Hence the churches that afterwards were erected were called cells, which is yet retained among the Highlanders, who call St Andrews to this day Kil-Rewel, i. e. Cella Reguli; and in other parts of the countrie, as Kilmarnock, Cella Sti Marnoci; Kilpatrick, Cella Sti Patricij; Kilrennie, Cella St Niniani; Kilduncan, Cella Duncani, &c.

The men came to be called Culdei, i. e. as Boeth. and others think, Cultores Dei; but according to other authors and documents, they had other names, as Colidei, the ſame with the former, Caelicolae, Keldei, Cheledei, Keledei, Kaledei, Coelibes. Spotſwood mentions old bulls and reſcripts of popes, where they are named Keledei; and in ane old writ of King William to the Abbacie of Dumfermline, there is this: "Sciatis, "&c. controverſia ſuper terra de Ball-Chriſtin, in qua Canonici de St An-"drews jus clamabant per Keledeos, de tempore Regis David avi mei," &c. And another charter granted by King David the firſt, and E. Henry his ſon, to the ſame abbey, gives thereto "Villum de Newburne (Neth-"burne) cum ſuis appendiciis, et Ball-Chriſtin cum ſuis rectis diviſis "excepta rectitudine quam Cheledei habere debent," &c. Item, the extract out of the laſt regiſter of the monaſterie of St Andrews mentions

the

the " Baronia Caledaiorum infra curſum Apri." Giraldus Cambrenſis in itinerario Cambriae refert—" Enhly, ſive Berſeyam inſulam a Monachis " inhabitatam religioſiſſimis, quos Coelibes vel Colideos vocant; et apud " Momonienſes in inſula (viventium quae vocatur) paucos Coelibes, " quos Coelicolas vel Colideos vocant, capellae devote deſerviiſſe." This is cited by Uſher de primord. Eccleſ. Brit.—Fordun, in the election of William Wiſhart, William Frazer, William Lambertone, James Ben, calls them ſtill Keldei, lib. vi. 42, 43, 44. Theſe names and deſignations, Spotſwood thinks, were given to theſe prieſts for their living in cells, where people aſſembled to divine ſervice.

It is alledged by Boeth. that theſe Culdei firſt began at St Andrews, where they were both moſt numerous and in greateſt reſpect of any others; and the opinion of their ſanctitie was ſuch, that Conſtantine the third, King of the Scots, (A. C. ſecundum Buchananum, 938.) demitted his crown, and retired from the world to ſerve God among the Culdees at St Andrews. " Factus Keledeorum Sti Andreae Abbas." And the veneration had to theſe in ſpecial is atteſted by forreigne authors: witneſs Henricus Silegravius in catalogo Domuum religioſarum in Britannia; Auguſtinus Ticenſis, in elucidario Ordinum religioſorum, cited by Uſher, p. 659. And beſides theſe here at St Andrews, we find but ſmall veſtigies of their reſidence and abode in companies at other places in the kingdome, eſpecially here in Fife, albeit they were numerous in the nation; except it be, as ſome have conjectured, there was a company and colledge of them at Kirkaldie, which they ſay was, and ſhould be called, Kirkculdie; and that the old name was Cella Culdeorum.

They were alſo in Majoribus Ultonienſium Eccleſiis, ut et in Metropolitica Armachana, et in Eccleſia de Cluanguiſh, Clohorenſis dioceſeos, Choro inſervientes Colidei qui Divina celebrabant, and that till

not

not long agoe, and their preſident was called Prior Colideorum. Uſher, ſup. p. 637. Et vide ibidem quae citantur e regiſtro Joannis Mey.

As to theſe Culdees at St Andrews there goes a tradition in this place, that the Culdees of old, at leaſt Regulus and his companions had a ceil dedicate to the bleſſed virgine, about a bow-flight eaſt of the ſhoare of St Andrews, a little without the end of the peer (now within the ſea) upon a rock, called at this day our Ladies Craige; the rock is well known, and ſeen every day at low water: and that upon the ſea's encroaching, they built another houſe at, or near the place where the houſe of the Kirkheugh now ſtands, called Sta Maria de Rupe, with St Rewel's chapel. To examine the tradition it muſt be granted that the firſt pairt of it may be poſſible; for in my time there lived people in St Andrews who remembered to have ſeen men play at the bowls upon the eaſt and north ſides of the caſtle of St Andrews, which now the ſea covers on everie ſide; ſo it may be that the ſea of old came not ſo much up to our eaſt coaſt as it now doeth. And I have heard it crediblie reported, that of old the heritors of Kinkell claimed, and pretended to a priviledge of watering all the beſtiall on their ground at Swilcanth burne, which runs at the weſt end of St Andrews: and for that effect, that they might bring all their goods to that burne, upon the north ſide of the caſtle of St Andrews.

Who would have a farther accompt of theſe Chriſtian prieſts called the Culdei, I refer them to the authors following.

Buchanan, lib. iv. and vi.

Hec. Boeth. lib. vi. fol. 95. lib. vii. fol. 102. and lib. xiii. fol. 279.

Dempſterii Apparat. lib. i. p. 13.

Ejuſdem Hiſt. Eccleſ. lib. xiii. No. 952.

Uſher, Brit. Eccleſ. Antiq. cap. xx. p. 636, 637, et 659.

Leſlie in Cratilinth.

D. Henrici Spelmanni Gloſſar. in voce Culdei, p. 156.

Spotſwood'

Spotſwood's Hiſt. of the Church of Scotland.

The preface to the hiſtory called John Knoxes.

Particularly Archbiſhop Uſher, lib. citat. p. 659, hath this to our purpoſe of the Culdees: "Keledeorum, ſive Coledeorum horum locum 'Auguſtiniani inſtituti Canonici regulares apud Andreapolitanos obti-'nuerunt, quorum Priori is honor eſt delatus, ut precederet quoſcunque 'Abbates aliorum Ordinum in toto regno Scotiae."

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER III.

OF THE BISHOPRICK OF ST ANDREWS.

SECTION I.

OF THE RISE AND ORIGEN OF BISHOPRICKS IN SCOTLAND.

THESE Chriſtian prieſts, for their better government, uſed to elect one of their own number, by common ſuffrage, to be chiefe and principall among them, without whoſe knowledge and conſent nothing was done in any matter of importance: and the perſon ſo elected was called Scotorum Epiſcopus, a Scots biſhop, a biſhop of Scotland; that is, an overſeer, becauſe biſhops ſhould overſee the manners of the people committed to them; and beſide, have the power of binding and lowſing, viſiting the dioceſe, conſecrating churches, and purging them; ordaining, ſuſpending, and depoſing of prieſts, excommunicating delinquents, diſpenſing and impoſing ſolemne penances. Theſe have an ordinarie power, which is divided in theſe three members. 1o. Some things belong to a biſhop,

biſhop, jure ordinis, as conſecration and purgation of churches, ordaining of prieſts. 2o. Some things belong to him, lege juriſdictionis, as the power of cenſure, collation, excommunication, inſtitution, and trying and examining of cauſes belonging to the eccleſiaſtick courts. 3o. Some things belong to a biſhop, lege dioceſana, as the right to receive and exact rents and tythes, &c. all which they can onlie doe within their own dioceſes, in anie place thereof (not exempted by themſelves or by others) upon theſe immediatelie ſubjected to them, according to Corvinus.

[As to the ſuffragean biſhops they were ordained in the church in the primitive times, when Chriſtians multiplied, and the dioceſes were large. They were called Chorepiſcopi, ſuffragean or ſubſidiarie biſhops, and yet are only titular biſhops, having the name, title, ſtyle, and dignitie of biſhops, and are conſecrate by the archbiſhop of the province; each to exerciſe ſuch power, juriſdiction, and authoritie, and to receive ſuch profits as are limited to them by the dioceſian biſhops, whoſe ſuffrageans they are.]

Our biſhops of old had no other title whereby they were diſtinguiſhed before King Malcolme the third, who firſt divided the countrie into dioceſes, appointing to everie biſhop the bounds within which he ſhould keep and exerciſe his juriſdiction. From which time, they were ſtyled either from the countries whereof they had the overſight, or the citie where they reſided.

To prove that we had biſhops in this kingdome very long ſince, even from near the time of our converſion to the faith, whom the Culdees elected, I ſhall ſet down a famous teſtimonie out of the MS. of the biſhops and archbiſhops of St Andrews, in Latin, in the Life of William Wiſhart, biſhop there. It is this: "Quando Eccleſia Scotica creſcere "bona fide, et in bonam frugem adoleſcere coepit, Culdei ſemen evan-"gelij mirum in modum multiplicatum cernentes, ex ſuo corpore Epiſ-

copum

" copum crearunt, qui nullae certae ſedi alligatus fuit, circa annum Con-
" verſionis, 62. i. e. reparatae ſalutis humanae, 270. Cum vero unicus,
" qui ſedem habere praecipuam incipiebat Sodorae in Argadia, non ſuf-
" ficeret, ut opinabantur, tunc plures ex eorum Culdeorum corpore
" Epiſcopi ſunt creati: Nec hoc ſatis erat, quia poſtea ab Eleemoſynis
" ad certos annuos cenſus eccleſiaſtici tranſivere, tum Epiſcopatus creſ-
" cere, Abbatiae fundari et donationibus ditari, dignitas etiam et honor,
" a putativa illa ſede apoſtolica, augeri a regibus optimatibusque et
" populo in admirationem haberi coeperunt; tunc omnia peſſum ire.
" Verum Culdei Epiſcopum e ſuo corpore eligendi poteſtatem in Scotia
" ſemper habebant, donec tranſlatum fuit ab iis jus illud ad clerum, quod
" primum in electione Sanct Andreani Epiſcopi Willielmi Wiſhart abro-
" gatum fuit anno, 1271, aut eo circa."

[This teſtimonie is confirmed by two of our worthie and learned hiſto-rians, Dempſter and Hec. Boeth, who both agree to ſtrengthen the teſti-monie of the MS. Dempſter in his Apparat. lib. i. p. 54. and Boeth. lib. vi. fol. 95. (apud me). Boeth's words are, " Coepere et noſtri eo tem-
" poris Chriſti Dogma accuratiſſime amplexari, Monachorum quorun-
" dam ductu et adhortatione, qui, quod ſedulo praedicatione vacarent,
" eſſentque frequentes in oratione, ab incolis Cultores Dei ſunt appellati:
" Hi Pontificem inter ſe communi ſuffragio eligebant, penes quem di-
" vinarum rerum eſſet poteſtas: Is multos deinceps annos Scotorum
" Epiſcopus eſt appellatus." Dempſter's paſſage is to the ſame purpoſe, and is this: " Cum Eccleſia Scotica creſcere bona fide, et in bonam
" frugem adoleſcere coepit, Culdei ſemen evangelij mirum in modum
" multiplicatum cernentes, ex ſuo corpore Epiſcopum crearunt, cui
" omnes, in religionis negotio, morem gererent, penes quem unum
" ſumma ſacrorum authoritas, atque in eccleſiaſticum ordinem juriſ-
" dictio eſſet. Hic graeco vocabulo Epiſcopus dictus, qui nulli certae

" ſedi

" ſedi alligatus, ubique regni (i. e. Scotiae) Epiſcopus audiebatur." It is true that Buchanan in lib v. and others of that gang, hold, that in Palladius his time the Scotiſh church was governed by monks; but ſome think that they have little ground to ſay ſo, except from an expreſſion in John Major his hiſtory (a great favourer of monks, becauſe one himſelf), which is this: " Per ſacerdotes et monachos, ſine Epiſcopis, Scoti in " fide erudiebantur." But it is anſwered, that albeit ſome pious monks converted the Scots to the faith of Chriſt, yet the church was not ruled by the monks, becauſe long after theſe times monks were not permitted to meddle with the matters of the church, nor were they reckoned among the clergie. See Archbiſhop Spotſwood's Hiſtory of the Church of Scotland, p. 7, where he diſproves Buchanan's conjecture as to monks governing the church of Scotland.]

SECTION II.

OF THE TRANSLATION OF THE BISHOPRICK FROM ABERNETHIE TO ST ANDREWS, AND OF SOME KINGS BOUNTIE THERETO, AND TO THE CHURCH.

WHILE the kingdome and nation of the Pights continued, and they were a people, both the metropolis of the countrie and the chiefe church among them were then at Abernethie. " Abernethie fuit locus principalis, regalis et pontificalis, per aliqua tempora, totius regni Pictorum." —Fordun, Scoti Chron. lib. iv. cap. 12. The collegiate church there was dedicate to Brigida, or St Bride (of old the Saint of the Douglaſſes), who died at Abernethie about the year 518. But when Kenneth the

ſecond, King of Scots, in a juſt revenge of his father King Alpine's death, killed and butchered by the Pights, had totallie ſubdued and finallie extinguiſhed that people, and the kingdome had fallen to him by the right of conqueſt, like a pious and brave prince he gave another face to the church, giving it a greater outward ſplendor than former ages had ſeen, and tranſlated the Epiſcopal ſee from Abernethie to the church of St Rewle, and ordained it from thence to be called the church of St Andrews, and the biſhop thereof Maximus Scotorum Epiſcopus, the principall biſhop of Scotland, cauſing churches, chapels, oratories, with their prieſts, and all ſorts of religious men to be held in great reverence; and this towards the middle of the ninth centurie, to wit, circa ann. 840, [ſays Dempſter in his Apparat. from Roger Hovedun; and adds, "manſitque is antiſtes in praecipuo honore poene 300 annis, et dicebatur "maximus Scotorum Epiſcopus;—which honor was not new to the ſee, for it had enjoyed the ſame long before: witneſs Camden in fol. p. 703, where he cites "Antiquae Schedae, in quibus legitur, Oengus ſive Ungus "Rex Pictorum Sto Andreae dedit ut eſſet caput et mater eccleſiarum "in regno Pictorum."]

It is obſervable, that the kings, Scotiſh and Pightiſh, for the moſt pairt were very favourable to the church, and to religious men; particularly Hungus, King of the Pights, beſtowed upon the church of St Andrews (as a token of his gratitude and thankfulneſs to God for a victorie over Athelſtane, King of the Weſt Saxons, near Haddington, being then in a great ſtrait, though others more probably ſay, that this Athelſtane was a Dane, who had Northumberland granted to him by King Alured, in the reign of Achaius King of Scotland,) great and rich gifts as chalices, baſons, the image of Chriſt in gold, and of the twelve Apoſtles in ſilver, and a caſe of gold for preſerving the relicts of St Andrew, and reſtored to the ſpiritualitie the tythes of all corns and cattell within

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his realme, exempting churchmen from anſwering before temporall judges. He then alſo appointed St Andrews croce to be the cognizance of the Pights in their wars, and otherwayes; and upon the extermination of that kingdome and people, the Scots aſſumed it, and uſe it to this day. But his (King Ungus's) ſucceſſor, Feredith King of the Pights, about the year 800, bare a heavie hand upon the church, ſpoiled her rents, and took away her ornaments, for which the judgement of God overtook him and his ſucceſſors and his people, under Druſken their king, a few years after.

[But that kingdome having fallen to the Scots in the right of conqueſt, many of our Scots kings have been moſt reſpectfull of, and bountifull to the church in their kingdome; as King Gregorie, ſurnamed the Great, King Kenneth the ſecond, Malcolme the third, Edgar and Alexander the firſt, David the firſt, Malcolme the fourth, William, and many others of our kings, whoſe veneration for, and bounty to the church, all our hiſtorians often mention with great honor, recording particularlie the biſhopricks founded, and abbacies erected by them. But for the ſpeciall donations made to this church by ancient benefactors before King William, ſee that king's ratification thereof in a charter granted by him to the church and cannons of St Andrews inſert ad longum hereafter, chap. viii. ſect. i. of this book. But to enumerate all the inſtances that might be given in this matter (if they were found out and brought to light) were tedious, and not ſo uſeful at preſent.]

By the kingdomes being enlarged, and the Scots acquiring the whole realme of the Pights, the church received a farther extenſion in bounds, and therewith an addition of more wealthe and ſtate, a better fixing, and from that time a clearer ſucceſſion in her rulers and officers, though as yet the kingdome was not divided into dioceſes, nor our biſhops otherwayes diſtinguiſhed nor named, but were onlie called Scotorum Epiſcopi;

copi; he at St Andrews being Epiſcopus maximus. Sti Andreae Epiſcopus majoribus regni praelatis praeminet. Fordun, Scoti Chron. lib. vi. cap. 49. " quorum quivis, quocunque fuiſſet loco, ſine diſcrimine ponti-" ficia obibat munera." Boeth. fol. 208. This adminiſtration of the church laſted till the time of Malcolme the third, who firſt divided the realme into dioceſes, appointing everie biſhop the limits of his juriſdiction, at which time biſhops came to have ſpeciall deſignations in Scotland; and then to the biſhop of St Andrews was committed the overſight of Fife, Lothian, Merſe, Stirling-ſhire, Angus, and the Merins; and, at the ſame time, Malcolme the third gave to the ſee of St Andrews the Lordſhip of Monymuſk, upon the occaſion of his vow, at the town of Monymuſk, to St Andrew, the titular ſaint and patrone of the Scots. Buch. lib. viii. p. 213. Impreſs. Ultrajecti, 1688. The kingdome of the Pights being totallie delet and fullie accreſcing to the Scots, as aforeſaid, the church came to be poſſeſſed of peace and plentie, which produced many notable effects; one whereof was, that, according to Archbiſhop Spotſwood, Adrian was ſettled the firſt biſhop of St Andrews. But the MS. ſays, the firſt biſhop of this ſee was Spothadus (ut infra, cap. xi. ſect. ii.), onlie with the title and power of a biſhop, albeit the principall and chiefe of all others in this kingdome; and his ſucceſſors, during a ſucceſſion of thirtie-three of them, had no more till they were made archbiſhops, the firſt of whom was Patrick Grahame.—But of this hereafter.

CHAPTE

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER IV.

OF THE BISHOP'S ELECTION

SECTION I.

OF THE ELECTION OF THE BISHOPS AND ARCHBISHOPS OF ST ANDREWS OF OLD, AND AS NOW ESTABLISHED.

ALL biſhops, and other prelates, were cannonicallie promoted to their cl[illegible]e and honor (which muſt be vacant by the predeceſſor his death, ren[illegible]val, renunciation, or tranſlation to another prelacie), either by an elec[illegible]on or poſtulation. Election is defined by the Cannoniſts to be a cal[illegible] cannonicallie made, of a fit perſon to a prelacie or fraternitie; and it pertains to that colledge to which the paſtor is ſought, or to them, who, by paction, priviledge, or conſuetude, have obtained that right, and ſhould be done and expede in the cathedral church, all being cited who have ſuffrage in the election: and, by the Doctors, election is made per ſcrutinium compromiſſum, vel inſpirationem. Poſtulation is defined

an unanimous petition of the chapter, that one may be promoted to the prelacie, who, not for anie defect of body or mind, but for ſome other defect, whereby he is not inhabile to take care of the church, yet cannot be choſen. See theſe defects in Corvinus's Jus Canonicum ſtrictum explicatum, and in other Doctors.

As to the election of the biſhops of this ſee of old, before the abbay was founded, it was thus: The Chriſtian prieſts called the Culdees, fo better government, uſed to elect one of their number, by common ſuf frage, to be chiefe among them, and to be their biſhop. This they claimed as their undoubted priviledge, yea and enjoyed the ſame both before biſhops came to have particular diſtricts and dioceſes, and after in this ſee of St Andrews, till the monaſterie and priorie of St Andrews were founded, about the beginning of the twelfth centurie. After which the prior and chanons of the monaſterie of St Andrews, pretended to and carried the election of the biſhops from the Culdees, who, before were the onlie electors; but afterwards were excluded from the election by a bull of Pope Innocent the ſecond, and the election was committe to the prior and chanons; whereupon aroſe a centroverſie betwixt the two pairties, competing and contending for the election of the Biſho St Andrews, which good King David compoſed thus: That ſo man the Culdees as would be chanons, and enter the monaſterie, ſhould with the chanons. But to elude this, a mandate was procured fro Pope to admit no Culdees without the advice of the prior and moſt of the chanons, whereby the Culdees were kept out and deprived o election. Yet about the time of the conteſt betwixt Bruce and Baliol the crown, near the beginning of the fourteenth centurie, at the electio of William Lamberton to the ſee of St Andrews, they renewed the claime, oppoſing Lamberton's election, hoping to get advantage of th prior in theſe troubleſome times: and William Comin (or Cunningham

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their provoſt, appealed to Rome, whither both pairties went to debate their rights. But Pope Boniface the eight, in June 1298, pronounced in favours of the chanons, which turned ſo to the diſgrace of the Culdees, that after we hear no more of them; and their name and order, came, by little and little, to be quite extinguiſhed about the beginning of the fourteenth centurie.

[As to the Culdees their right of election and chooſing the biſhops of old, it is not called in queſtion, but fully granted, even by the late Epiſcopomaſtices, the Puritans, and Preſbyterians themſelves, who have any knowledge of antiquitie and the church hiſtorie of Scotland. David Buchanan, one of them, who wrote the preface to the Hiſtorie of the Church of Scotland, commonlie called Knox's Hiſtorie, hath clearlie acknowledged, that after Palladius introduced prelacie into Scotland, the biſhops were to be choſen by the Culdees, and of them; and accordinglie the election was conſtantly made, till the erection and diſtinguiſhing of certain dioceſes in the days of Malcolme the third, after which the biſhops were elected by the chapters, which conſiſted of monks and chanons, ſo that the Culdees their right of election had ſufficiently preſcrived. But after that time they were debarred from electing, and, at laſt, loſt it altogether; yea their order came to ceaſe about the beginning of the fourteenth centurie, after which we hear nothing of them. See the preface as formerlie cited, as printed at Edinburgh, 164[illegible]4, a peece that muſt needs have this commendation, that, albeit it is [illegible]none of the beſt, yet it is far better, and of more worth than the bo[illegible]ok to which it is prefixed.]

From the verie firſt foundation of the priorie, we find, in the year 1122, King Alexander the firſt recommended to the chapter, upon the vacancie of the ſee, Robert, Prior of Scoon, who was elected and choſen biſhop by them unanimouſlie; and, thereafter, in the year 1178, the convent

convent elected John Scot, a native of England, to be biſhop here, albeit King William had recommended to them Hugo, his own chaplaine. So that after the foundation of the priorie, it is certaine that the election of the biſhops belonged to them de jure, et de uſu; nor was this their priviledge impaired or violate while epiſcopacie ſtood and obtained, untill their benefice was erected into a temporall Lordſhip in the Duke of Lennox his perſon and familie. But even after the reformation, the chanons continued a chapter to the archbiſhop; for after the death of Archbiſhop John Hamilton, there was a letter commendatorie (now called a conge d' elire) direct, in the king's name, to the dean and chapter of St Andrews, to elect Mr John Douglas (provoſt of the new colledge of St Andrews) archbiſhop. This letter is dated January 20, 1571, and is ſubſcribed by the Earl of Mar, regent: and the chapter accordingly elected the ſame Douglas; and ſince he ſate onlie four years, it is not unlikely Adamſon, his ſucceſſor, was promoted the ſame way. And for the election of Gladſtanes, Spotſwood hath nothing of it. And for his own election and promotion, his gift under the Great Seal, in May 1615, narrates the vacancie of the ſee, with his fitneſs and qualification therefore, and gives and grants the archbiſhoprick to him for his life time, and doth not mention a conge d' élire previous to the election, nor that anie election was made. And as to the promotion of Dr Sharp to the ſee, his patent and gift under the Great Seal, dated November 1661, narrates, " That during the troubles in the kingdome for the " ſpace of twentie-three years preceding, laws were made for the extir- " pation of the church government by archbiſhops and biſhops, againſt " the eſtabliſhed laws and government of the church of this kingdome, " in prejudice of his Majeſty's power and prerogative, which were re- " ſcinded by the then current parliament. So that the authoritie, civil " and eccleſiaſtick, was redintegrate, according to the laws in force be-

" fore

" fore the rebellion; and becauſe the then deans and the members of " chapters were for the moſt pairt dead, and their offices vacant, ſo that " the then archbiſhops and biſhops could not be nominated, preſented, " and elected, according to the order preſcribed by act of parliament " 1617, and that his Majeſtie conſidered, that the offices of archbiſhops " and biſhops in this kingdome did then vaike in his Majeſty's hands " by the death or demiſſion of the then laſt incumbant, particularlie " the archbiſhoprick of St Andrews, by the deceaſe of the laſt biſhop " thereof; and his Majeſtie being informed of the pietie, &c. of the " ſaid Dr Sharp, therefore his Majeſtie, ex authoritate regali et poteſtate " regia, certa ſcientia, proprioque motu, makes, creates, and ordains " the ſaid Dr James Sharp, archbiſhop of the ſaid archbiſhoprick of St [illegible]drews, and primate and metropolitan of all Scotland."

[illegible] act of parliament 1606, cap. iii. the priorie, and conſequentlie [illegible]hanons, the old electors, were ſuppreſſed, and the benefice was [illegible]ed into a temporall lordſhip. Then was the ancient manner of [illegible]ion of the Archbiſhop of St Andrews by the prior or convent of [illegible] monaſterie here aboliſht and extinguiſht, and after that a new manner of election was appointed in all time coming, by the act of parliament 1617, cap. ii. to be thus: The Archbiſhop of St Andrews to be elected by eight biſhops of his province. They are, Dunkeld, Aberdeen, Brechin, Dumblane, Roſs, Murray, Orknay and Caithneſs, and the Biſhop of Edinburgh, ſince the erection of that ſee, and by five miniſters ſerving the Cure at theſe five kirks; to wit, the Principall of St Leonard's colledge, the Archdeacone of St Andrews, the Vicar of St Andrews, the Vicar of Leuchars, and the Vicar of Cowper; which biſhops and miniſters are the provinciall chapter to the ſee of St Andrews, and who, or moſt pairt of them, have, in all time coming, power to elect the archbiſhops of St Andrews when the ſee ſhall vaike; and theſe are appointed the chapter

for election. And the act appoints the Biſhop of Dunkeld for the time, to be vicar generall for convening the electors, in order to the election; but now the Biſhop of Edinburgh is vicar generall to St Andrews, ſince the creation of that ſee, and alſo ſuffragan to the archbiſhop of this ſee in all time coming: and when he preſents or collates to any church, within the ſee of St Andrews, either pleno jure or jure devoluto, during the vacancie of St Andrews (as he juſtlie may), he deſigns himſelf vicar generall, and chancellor of the metropolitic ſee of St Andrews; [but of old the prior was vicar generall ſede vacante.]

After Archbiſhop Sharp's murder, the church government being fixed, the election of his ſucceſſor ſince hath been conforme to the foreſaid act [of parliament, till there came a new ſuppreſſion of the order in 1689. As to the forme of making a biſhop in England, ſee a full ac[illegible] thereof in Chamberlane's Preſent State of England, part ii. p. 21. 1674. See the ſame at full length, and compare with our late cuſ[illegible] in that point, uſed in this kingdome; and for a dean and chapte[illegible] England, ſee the ſame Preſent State of England, part ii. p. 28.]

SECTION II.

OF THE CHAPTER OF ST ANDREWS IN FORMER TIMES, AND AS NOW CONSTITUTE.

" CAPITULUM denotat conventum capitum, i. e. primariorum alicujus " eccleſiae ſeu collegij, et aliquando ipſum locum ubi convenitur," Spelman. Gloſſ. " A chapter (ſays Sir Thomas Hope, pater,) conſiſts of a number of perſons in each dioceſe by whoſe conſent the affairs of the ſee are expede, without whom the biſhop can do nothing, nor they in their

their own particular benefices without him; theſe are the dean and moſt pairt of the chapter. But there is an exception from this in favours of the Archbiſhop of St Andrews, who in old times had no chapter, but the conſent of the prior of St Andrews, and the convent thereof (which was teſtified by appending the convent's common ſeall), was to the archbiſhop inſtead of a dioceſian chapter.—The reaſone whereof ſeems to be this: Becauſe the Biſhop of St Andrews, at the foundation of the priorie, which was erected by himſelf, and founded out of the rents and fruits of his own benefice, or out of ſuch kirks as lay within his dioceſe, and were before of the chapter, did by that foundation extinguiſh the chapter kirks, and make them patrimoniall to the priorie; and in reſpect thereof, the prior and convent remained to the archbiſhop after that in place of a chapter; ſo ſaith Sir Thomas Hope, pater. [But the Priorie of St Andrews was not founded ſollie by the Biſhop of St Andrews, nor wholllie out of the kirks of his chapter; for the original charter of confirmation by King William, inſert chap. viii. evidenceth, that King David the firſt, Malcolme the fourth, Mattheus Archidiaconus, and the predeceſſor (as is apprehended) of the Earle of Wemyſs, contributed both kirks and other revenues; and the prior and convent, as before ſaid, became the proper chapter of the ſee, both for election and adminiſtration, ſucceeding therein to the Culdees.] Thereafter the priorie being erected into a temporall lordſhip, it was found needfull that the ſee ſhould not want a chapter, the former being by this erection ſuppreſt, but that ſome courſe behoved to be taken for a new one.

Therefore, the king and parliament, anno 1606, cap. ii. ordained the Chapter of St Andrews to conſiſt of ſeven perſones of the miniſtrie bearing charge within the dioceſe of St Andrews, and their ſucceſſors to be nominated by the archbiſhop, who ſhould be to him and his ſucceſſors a perpetual convent and chapter for ever after that; reſerving to the

the archbiſhop and his ſucceſſors the ancient priviledge, that the common ſeall of the chapter ſhould ſerve for the chapter's conſent, without their ſubſcriptions. Alſo, by act of parliament, anno 1607, cap. viii. the king and eſtates, upon the ſame narrative, give power and commiſſion to George, then Archbiſhop of St Andrews, to elect and nominate ſeven qualified perſones of the clergie, dwelling, and having charge within the dioceſe, and their ſucceſſors, to be the perpetuall convent and chapter of the ſee of St Andrews in all time coming; reſerving to the archbiſhop and his ſucceſſors their ancient priviledge anent the chapter ſeall ut ſupra.

Item. By act of parliament 1617, cap. ii. there is a new chapter appointed to this ſee, of theſe twentie-four perſones following, viz. The Prior of Portmoog (who is Principall of St Leonard's colledge, and Dean of the Chapter), the Archdeacone of St Andrews, the Vicars of St Andrews, Leuchars, Cowper; the Provoſt of Kirkhill (i. e. Kirkheugh); the Parſone of Dyſart; the Vicars of Forgun, Inchture, Kynnaird, Fowlis, Eliſgreige, Roſſie, Linlithgow, Scone, Fordun, Forgun in Fife; the Dean of Reſtalrig, the Dean of Dumbar; the Vicars of Kettle, Kennoway, Markinſh, Falkland, Abercrombie; who are to have adminiſtration of affairs belonging to the archbiſhoprik, which was done before by the prior and chanons, onlie they have not the election.

This new chapter, the Lords of Seſſion, by their decreet November 9, 1624, finde only to be for the archbiſhop; but that obligation and relation not to be mutual as it was of old.

Amongſt the other buildings in the abbey and monaſterie of St Andrews, there was a chapter houſe where the convent met to conſult about their affairs. Spotſwood ſayes of Lamberton, that, at the dedication of the cathedrall, he adorned the chapter houſe with curious ſeats and ſeeling; but where it ſtood none can tell. And after the reformation, I find they met in the ſenzie chamber; and by ane act of the chapter, holden

holden there, dated April 4, 1570, it is appointed that two generall chapters ſhall be holden in the abbey yearlie for concluding upon all their affairs; the one upon the firſt Fryday after Michaelmas, the other upon the ſecond Fryday after Paſche. The act ordaines ſix of the chanons, or any five, four, or three of them, to aſſiſt and concur with the Oeconomus (then Mr John Winrame, the ſuperintendant) in all their affairs, and gives them full power for that effect.

Nota, that beſide the common ſeall of the chapter, which both ſerved the archbiſhop in his charters, tacks, and deeds, that required the convent's conſent, and was to his Lordſhip in place thereof, and the prior and convent in their charters of lands holden of them, and tacks of teynds payed to them, and ſet out by them; the convent had alſo another ſeall, called the ſecret ſeall of the chapter, as I find mentioned in a diſcharge granted by James, commendator of St Andrews, to Deane John Winrame (as he is then deſigned), of all money received by him, belonging to the chapter. It is dated the laſt of February 1558.

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER V

OF THE PRIVILEDGES, DIGNITIES, ETC. CONFERRED ON THE SEE OF ST ANDREWS.

THERE are ſo many and great priviledges, dignities, honours, im[illegible]nities, &c. conferred upon this ancient and venerable ſee; and great and ample is the juriſdiction and authoritie perpetuallie annexed thereto, which all doe perſonallie belong to the venerable prelates thereof; ſome whereof belong to the ſpiritualitie, others to the temporalitie of the ſee; I ſhall now give accompt of ſuch of them as I know, and have learned.

OF

OF THE PRIVILEDGES, ETC. BELONGING TO THE SPIRITUALITIE.

SECTION I.

OF THE INCUMBENT'S BEING MADE PRIMATE, AND THE SEE METROPOLITICK.

THE firſt thirtie-three prelates of this ſee (according to Spotſwood), albeit they were Epiſcopi Scotorum maximi, yet they had onlie the priviledge and honour of biſhops; but after they were created Archiepiſcopi, et archipatres, titulus qui primum videtur inſignioribus in ordine viris, non per canonem, ſed ex placito, delatus, poſtea ab eccleſia ſuſceptus, et in certum gradum conſtitutus, et primo in oriente obtinuit. Archiepiſcopus et Metropolitanus ſunt nomina ſynonyma; dicitur Archiepiſcopus quis, quod Epiſcopis ſit ſuperior, et non civitati tantum, ſed et provinciae praeſideat: vocatur Metropolitanus, quia in metropoli aliqua, i. e. matrice civitate, olim conſtitutus eſt, ut auguſtae et divinae civitatis, i. e. eccleſiae, unitas et tranquillitas melius conſervetur. Poteſt archiepiſcopus ſuae provinciae antiſtites cogere et congregare, quo graviora negotia in ampliore et majore conventu tractari et definiri poſſint, et quae perperam ac injuſte decreta vel judicata ſunt, ad majus judicium gradatim referantur, et hujus rei gratia ſynodus tam civitatum quam provinciarum atque nationum judicere, quod et conſtitutione praecepit Juſtinianus, nov. de ſanct. Epiſcop.

In the year 1471, Pope Sixtus the fourth, to ſilence the pretenſions of the Archbiſhop of York to a precedencie over the church of Scotland in all time coming, George Nevill, then Archbiſhop of York, at that time renewing the claime, [i. e. at the promotion of Patrick Grahame,

hame, formerly Biſhop of Brechin, to the ſee of St Andrews,] erected the ſee of St Andrews into ane archbiſhoprick and primitiall ſee, making the incumbant there primate and metropolitane of all Scotland, by his bull granted for that effect, and ordained the reſt of the biſhops of Scotland, then twelve, but now thirteen in number, to be ſubject to this ſee: As alſo ſome years after that (but ante decurſum ſaeculi), Pope Innocent the eight gave his bull to the ſame effect, with this ſpeciall command, that the election was in imitation of the metropolitick ſee of Canterbury, in theſe words: " Innocentius 8vus in concernentibus ar-" chiepiſcopalia primatiae et hujusmodi legationis officia, jura, et eorum " liberum exercitium, honores, onera et emolumenta, obſervent, teneant, " firmiter et inviolabiter ſtudeant, perimplere laudabiles conſuetudines " inclytae metropolitanae eccleſiae cantuarienſis, cujus praeſul regni " angliae legatus natus exiſtit." &c. So Cambden, ex Camera Apoſtolica lib. xxiv. fol. 24.]

The bull of erection alſo endowed the archbiſhop with the priviledge of a primate, which were; firſt, to receive and uſe (ſolemnibus diebus in provincia et non extra) the archiepiſcopall pall, which implies and confers plenitudinem officij pontificalis, and is the inſigne of archiepiſcopall and metropolitane dignitie; before the getting whereof, and of being inveſted with it, the archbiſhop cannot ordaine prieſts unleſs he had before been a biſhop, dedicate churches, conſecrate biſhops, nor be called archbiſhop.

[It will be here no impertinent digreſſion to enquire what the pall of an archbiſhop is. The Cannoniſts define it thus:] " Pallium eſt ex lana " candida contextum, habens circulum humeros conſtringentem, duas " lineas ab utraque parte dependentes, quatuor cruces purpureas ante " et retro a dextris et a ſiniſtris, hae ſunt duplices, illae ſimplices." It is alſo thus deſcribed by others: A pontifical veſtment, made of a lamb's wool,

wool, as it cometh from the ſheep's back, without any artificial colour, and ſpun by a peculiar order of nuns, caſt into St Peter's tomb, and adorned with little black croſſes, having two labells hanging down before and behind, which the archbiſhops going to the altar put about their necks, above their other pontificall ornaments. [And Mr Francis Maſone, a learned Engliſh divine, in his Defence of the Conſecration of the Biſhops of England at the time of the reformation, againſt Bellarman, Sanders, and other learned Catholicks, printed anno 1613, p. 188, ſayth, that a pall is a little tippet, three fingers broad, made of wool, of two white lambs offered up upon the altar of St Agnes, while Agnus Dei is ſung in the ſolemne maſs, and laid all night upon the bodies of St Peter and St Paul under the great altar, from whence receiving this virtue to containe the fullneſs of all pontificall power, it becomes the inſigne of a patriarche or archbiſhop. This much of the pallium. See Onuphrius his Interpretatio vocum obſcuriorum eccleſiaſt. p. 71, 72. joined to Platina, de vitis Pontificum, edit. Col. Agrip. anno 1626. And for the palla, the ſame Cannoniſt defines it "Lineus pannus conſecratus, qui extenditur ſuper altare, ſuper quo ponitur corporale." The pall was brought in onlie in the twelfth centurie; for then the popes began firſt to ſend their cloaks to archbiſhops, as the badge of their being the pope's legati nati, i. e. legates born. See ſection iii. of this chapter, near the beginning.]

The next priviledge of ane archbiſhop, aſſigned by the Cannoniſts, is to receive the oath of fidelitie and obedience to the church of Rome.

The third priviledge is to cauſe a croce to be carried before him, except it be in Rome, or where the pope or his legate is uſing the "inſignia papalia," which are, "veſtis rubea, palafraedus albus, fraenum et calcaria deaurata."

The fourth, ad primatem poteſt appellari, omiſſis mediis. Sylveſter in ſumma.

The firſt of the prelates of this ſee, according to our hiſtorians, who gote the title and honour of primate, archbiſhop, and metropolitane, was Patrick Grahame, nephew, (ſays Spotſwood, but brother uterine, ſays Buchanan, and trulie,) to Biſhop James Kennedy, his immediate predeceſſor in this ſee; and at his promotion, Biſhop of Brechin. [It is to be remembered, that their mother was Mary Stewart, youngeſt daughter to King Robert the third, who was thrice married. Firſt to James Kennedy, ſon to Gilbert Kennedy of Dunmure, in Carrick, (preceptor to the Earle of Caſſillis, being recommended by his father to Sir Gilbert his care and keeping when verie young) to whom ſhe bare two ſons, Gilbert, afterwards created Lord Kennedy, and this James Kennedy the worthy Biſhop of St Andrews. Next ſhe married George Earl of Angus (the ſecond Earle of Angus of the name of Douglas) to whom ſhe bare William and George Douglaſſes, both Earles of Angus ſucceſſive: and this George Earle of Angus, her huſband, being killed at the battle of Shrewſbury, anno 1403, ſhe married, thirdly, Sir George Grahame of Murdock, as ſome deſign him; others call him Lord Grahame of Dunduſmore: She bore to him James Grahame the firſt Laird of Fintrie, and this Patrick Grahame the firſt Archbiſhop of St Andrews, and Primate of all Scotland.]

This Patrick Grahame was a ſingular good man, and of a great virtue. With the primacie he obtained alſo a legantine power to reform abuſes in the church and clergie for three years; but he was mightilie oppoſed in both by the inferior clergie, and alſo by the courtiers, and was prohibite to uſe his power by the King (James the third): and after he had never peace, but was vext continuallie with great and powerfull enemies till his death. Firſt by the Boyds, who then ruled the court; and

and after by William Shevez (whoſe promotion to the Archdeanrie of St Andrews he laboured to hinder), who firſt procured to Grahame great and manie troubles; as excommunication, impriſonment, povertie, diſgrace from the court and church, all which he endured very Chriſtianlie.

This William Shevez, notwithſtanding all the oppoſition made by him and others to Patrick Grahame's promotion to be Archbiſhop of St Andrews, and Metropolitane of Scotland, even in Grahame's lifetime, was provided to the archbiſhoprick of St Andrews, at Rome, and received the pall (ut videtur) from Pope Innocent the eight in ſigne of archiepiſcopall dignitie, and was ſplendidlie inveſted therewith in the church of Holyroodhouſe, in anno 1478, in preſence of the king and diverſe of the nobilitie. See Archbiſhop Spotſwood's Hiſt. p. 58, 59, 60.

The Archbiſhop of St Andrews, as metropolitane of the kingdome, conſecrates and tranſlates all biſhops within his own province, which are theſe nine: Edinburgh, Dunkeld, Dumblaine, Brechin, Aberdeen, Murray, Roſs, Caithneſs, and Orknay; yea alſo he conſecrates and tranſlates to the ſee of Glaſgow itſelf upon a vacancie. And herein is a main difference betwixt a biſhop and ane archbiſhop; that the archbiſhop with other biſhops doth conſecrate a biſhop, as a biſhop with the other prieſts doth conſecrate a prieſt.

SECTION II.

OF THE CONTROVERSIE BETWIXT THE ARCHBISHOPS OF ST ANDREWS AND GLASGOW.

SHORTLIE after William Shevez his being inveſted with the pall and ſettled in the archiepiſcopall dignitie, Robert Blacater, then Biſhop of Glaſgow,

Glaſgow, obtained of Pope Alexander the ſixth the erection of the ſee of Glaſgow alſo into ane archbiſhoprick, and the biſhopricks of Galloway, Argyle, and the Iſles, being ſubject thereto as its province: and upon the 9th day of October 1488, the king and eſtates of parliament erected the biſhoprick of Glaſgow into ane archbiſhoprick, with all the honours and priviledges, ſuch as the Biſhop of York has. And before that, in July 1476, the king granted to him to have a ſerjand with a ſilver wand.

Hence, in 1491, a controverſie aroſe betwixt theſe two Scots archbiſhops, Shevez of St Andrews refuſing to owne Glaſgow for ane archbiſhoprick The buſineſs begat hate, and came to ſome height; for both the clergie and nobilitie went into factions, ſo that the matter came before the parliament, and was debated there in the fourth parliament of King James the fourth, holden at Edinburgh in June 1493, with what iſſue or ſucceſs I know not; for it is onlie mentioned among the unprinted acts: by the table whereof it ſeems they had alſo other controverſies. But it was at length taken up, yet with the grudge of both parties, and Glaſgow was declared to be a metropolitane, and the precedencie was reſerved to St Andrews, with a ſupereminencie, and ſome power over the Archbiſhop of Glaſgow, whom St Andrews hath power to call to a nationall ſynode. It is certaine that hereby both ſees were put to loſs by the arbitration and deciſion; for many lands were given off to the reſpective abettors. Among the reſt it is reported that Muckartſhyre was then fewed out by Shevez to the Earle of Argyle for ſiding with him; and I have heard that the firſt feu charter thereof was granted at Dollar Caſtle, now called Caſtle Campbell, then, and ſtill a houſe belonging to Argyle.

This controverſie betwixt the two archbiſhops of St Andrews and Glaſgow, and the iſſue of it, was very like to the controverſie betwixt Eunonymus Biſhop of Nicomedia, the ancient metropolis of Bithynia,

and

and Anaſtaſius Biſhop of Nice (which was made a metropolitane citie by the emperor), who thereupon took upon him metropolitic authoritie in ſome part of the province, of which Eunonymus complained to the council of Calcedon, which determined that the Biſhop of Nicomedia ſhould enjoy the metropolitical authoritie of the province, and the Biſhop of Nice ſhould have metropolitical honour; but to be ſubject to his metropolitane, as well as the other biſhops of the province. See Samuel Parker his accompt of the Government of the Church for the firſt five hundred years, p. 288. 280. edit. Lond. 1683.

SECTION III.

OF THE BISHOP OF ST ANDREWS HIS LEGANTINE POWER.

LEGATUS eſt vicarius ſummi pontificis, cui a papa certa patria vel provincia committitur gubernanda, gerens vices papae; et eſt ordinarius in provincia. Horum quidam ſunt nuntii ad aliquod nudum miniſterium exercendum; quidam Judices. Eorum tria ſunt genera vel ſpecies; quidam de latere, qui de curia papae mittuntur etiamſi non ſunt cardinales, qui, cum legatione funguntur, apoſtolicae dignitatis inſignibus utuntur; quidam ſunt locales ſeu nati, ſic dicti ratione ſuae dignitatis, privilegii ſeu beneficii poſſeſſi, in qua naſcuntur ex privilegio eccleſiae ſuae, poteſtatem habentes a pontifice tanquam ejus legati; quidam ſunt temporales ſive communes perſonae, ut omnes miſſi a papa a curia vel ab extra, extra ordinem cardinalium, in provincias cum mandato et poteſtate, quorum poteſtas ex tenore commiſſionis ſeu mandati maxime pendet. Legatus tamen a latere, ex dignitate quam habet ſuper alios, poſt ſummum pontificem quaedam poteſt quae aliis non ſunt permiſſa, ut

conferre et abſolvere in ſua provincia et extra tam ſubditos quam extraneos, niſi ſit enormis injuria. Legatus in provincia omnia poteſt exercere quae ille qui eum miſit praeter reſervata ſummo pontifici: 2o. Poteſt ſolus edere ſtatuta quoad juriſdictionem ſi non ſint contra canones generales (quibus derogare not poteſt). At non poteſt conferre vel reſervare eccleſias cathedrales, regulares vel collegiatas et vacantes in curia Romana ſine mandata ſpeciali, etiamſi ſit lateralis legatus; nec poteſt conferre vel reſervare in eccleſiis cathedralibus dignitates principaliores poſt epiſcopatum ad quas per electionem venitur; nec concedere alicui in generali vel ſpeciali ut recepta reſignatione beneficiorum ab his qui habent illa ut poſſit ea alteri conferre, &c.

The firſt Biſhop of St Andrews we read of that had this legantine power, is Biſhop Arnold, at his conſecration anno 1159, ſome three hundred years before Grahame, which was reſigned to him then at the command of Pope Eugenius the third by William Biſhop of Murray, who, for ought I can learne, was the firſt legate to a pope in Scotland: He having gone to Rome to complaine of the Archbiſhop of York his uſurpation upon the church of Scotland, obtained this legantine power, and at his return carried himſelf as the pope's legate, untill Arnold's conſecration: and the MS. of the archbiſhops and biſhops of St Andrews ſays, Arnold was the firſt legatus a latere, which commiſſion, it is like, he gate at his promotion to the ſee; and yet it is there added, that this William Biſhop of Murray was legate in anno 1198. [Alſo I find another alledging, that a Biſhop of St Andrews, called Andrew, who preceded Biſhop Arnold, was the firſt legatus a latere in Scotland, which office was conferred upon him by Pope Adrian the fourth. But that ſeems a miſtake; for I find no biſhop in St Andrews of the name of Andrew, till Archbiſhop Andrew Forman, in the beginning of the ſixteenth centurie.] The legantine power which Grahame gote was onlie temporarie, and

was

was to laſt but for three years; yet it came afterwards to be perpetuall, and was annexed to the ſee, ſo that all the archbiſhops after him, who acknowledged the pope's authority and doctrine, were from that time legati nati, and ſo deſigned themſelves; and ſometimes they were legati a latere alſo, but that behoved to be by ſpeciall commiſſion.

John Hamilton had both theſe powers and dignities; for in ſundrie charters he is thus deſigned, Legatus natus, ac etiam cum facultate legati a latere, &c. Alſo ſome others of the archbiſhops before Hamilton had both in their perſons, as Archbiſhop Andrew Foreman, as is clear by their charters. Henricus Epiſcopus Sti Andreae, in a charter dated penult. Feb. 1411, is deſigned "Domini noſtri papae, et apoſtolicae ſedis "legatus, cum plena poteſtate per regnum Scotiae ſpecialiter conſtitu-"tus:" Cardinal Bethune was alſo legatus a latere, and is ſo entitled very often in writs.

SECTION IV.

OF THE PRIVILEDGES THAT ABBOTS AND PRIORS WITHIN THE DIOCESE OF ST ANDREWS SHOULD BE CONFIRMED BY THE ARCHBISHOP THEREOF, AND OF THE ACT OF PARLIAMENT MADE THEREANENT.

Of old the pope granted this priviledge and indulgence to the biſhops of St Andrews, perpetuallie to confirm the perſones that ſhall be choſen or poſtulate by convents to be abbots or priors within the dioceſe of St Andrews; which priviledge the king and eſtates of parliament taking to their conſideration, they, by the act of parliament dated November 20, 1469, "found the ſame to be right honourable in itſelf, and tend-"ing to the common proffeit of the realme and the leidges thereof,

"and

" and therefore ordained that the ſame ſhould be obſerved and keeped " by the king and his ſucceſſors, and by the leidges in time coming, " without violation; and that no perſones, his ſubjects, of whatſomever " degree, ſtate, or order, doe in the contrair of the ſaid indult and privi- " ledge, nor purchaſe any abbacies or pryories that ſhould vaike with- " in the dioceſe of St Andrews, pertaining to the Biſhop of St Andrews " his confirmation, but by the ſaid indult and priviledge; or raiſe com- " miſſions againſt perſones promoved, or to be promoved, confirmed, " or to be confirmed by the ſaid Biſbop of St Andrews, under the paine " of baniſhing for ever, and under the paine of treaſone.

" Item: it is ordained that no ſubject of this realme ſhall purchaſe " any benefice without the realme, quhilk is of old uſe and conſuetude, " and was ever obſerved, and uſed to be preſented, given, and confirm- " ed within the realme by the patrones or ordinaries of the dioceſe, or " raiſe any commiſſion thereupon, under ſiklyke paine, and incurring " of the king's high indignation. And that the abbacies and priories " within the dioceſe of St Andrews, viz. the priorie of St Andrews, the " abbacie of Kelſo, the abbacie of Dumfermline, the abbacie of Aber- " brothock, the abbacie of Halyroodhouſe, the abbacie of Scoone, the " abbacie of Lundoris, the abbacie of Cambuſkenneth, the abbacie of " Dryburgh, the abbacie of Balmerinoch, the abbacie of Cowper, the ab- " abbacie of Newbottle, the priorie of Coldinghame, the priorie of Reſ- " tennet, the priorie of Portmolloch, and all other prelacies and priories " pertaining to the ſee of St Andrews by priviledge, conſuetude, or by " the ſaid indult, ſhall have this act and ſtatute of parliament, with the " ſaidindult fullie inſert under our ſoveraine Lord's great ſeal, if it be re- " quired, to perpetuall memorie of the ſaid conſtitution, act, and deliver- " ance of parliament, in the confirmation and keeping of the common " good of our ſoveraine Lord's realme and leidges; and that our ſoveraine

" Lord

" Lord and his ſucceſſors, together with the three eſtates of this realme, " ſhall, by his authoritie royal, defend the ſaid priviledge and indult, " as ſaid is, againſt all and ſundrie his leidges that would doe and at- " tempt in the contrarie thereof, and execute detfullie the paines of " proſcription and treaſone againſt the ſaid perſones attempting in the " contrare of the ſaid indult in the maiſt rigorous wayes."

This act, under the great ſeal, being preſented in the parliament, holden March 9, 1478, and extracted furth of the regiſter of acts by Alexander Scot, clerk of the council, and depute to Mr David Guthrie of that ilk, clerk of the regiſter and rolls, is ratified and approven in theſe words: " Quod quidem actum, ſtatutum, et decretum, ac omnia et ſin- " gula in eodem contenta, in omnibus ſuis punctis, et articulis, condi- " tionibus, poenis, modis et circumſtantiis quibuſcunque, forma pariter " et effectu, in omnibus, et per omnia approbamus, ratificamus, et pro " nobis haeredibus et ſucceſſoribus noſtris authoritate noſtra regia, et " authoritate dicti noſtri parliamenti, ut premiſſum eſt, perpetuo con- " firmamus, ſtrictius inhibendo ne quis in contrarium dicti acti, ſtatuti, " et decreti aliquatenus divenire praeſumat in futurum, ſub poenis in " eodem expreſſatis. Datum ſub magno ſigillo noſtro apud Edinburgum " ſeptimo die menſis Decembris 1469, et anno regni noſtri decimo."

That this was no new gift, indult and priviledge, granted to this ſee and the venerable prelates thereof, appears by this: that William Landels Biſhop of St Andrews, in May 1359 (above one hundred years before the act of parliament), by a write granted by him, with conſent of the chapter, enquired into, and reviſed the rights of the monaſterie of Haddingtoun, and confirmed them in all their lands, rights, and priviledges. In which write mention is made of Richard, William, David, and Daniel, biſhops of St Andrews, who, with others there named, had been benefactors to that monaſterie.

In the table of the unprinted acts of parliament in King James the third his time, and his eleventh parliament, holden March 18, 1481, there is mention made of an indult granted to the Archbishop of St Andrews: if it be not the same above deduced, I have not learned of another; and if it be the same, I must needs suspect the date of my copie; and yet these tables of unprinted acts are sometimes defective and incorrect, as is commonlie thought, whereof one reason is, because of old the acts of two or three parliaments are printed of the same date, so that the exact number of parliaments of some kings cannot be well known. It is also to be observed, that in the table of unprinted acts of the parliament, holden by King James the fourth, parliament the fourth, June 1493, mention is made of the indult granted to St Andrews and Glasgow; but what that was, or if the same with this, I have not yet learned.

SECTION V.

OF OTHER PRELACIES, BENEFICES, ETC. OF OLD BELONGING TO, OR DEPENDING UPON THIS SEE OF ST ANDREWS; AT LEAST TAXT THEREWITH.

[THE mensall and patrimoniall churches belonging to the Archbishop of St Andrews are these: the Trinitie church of St Andrews (albeit a prior church); the churches of Monymeal, Kirkliston, and Stow; and some think Linlithgow.]

In the section immediately preceding, and priviledge and indult of parliament therein insert, mention is made of sundrie abbacies and priories in speciall, and other prelacies innominatim belonging to this see, the incumbents whereof are to be confirmed by the Archbishop of St Andrews.

Andrews. For clearing what theſe are, I ſhall here ſet down all the benefices, prelacies, and others that were taxt with, and under the archbiſhoprick, as they are contained in a roll, intituled; A taxt roll of the archbiſhoprick of St Andrews in anno 1547, which although it differ in the methode and order as to the rankings of the prelacies, deanries, and ſmall benefices, from other taxt rolls, and particularlie that in anno 1558, yet the difference, I am informed, is not at all conſiderable: the writers, though juſt, have not been nice and ſcrupulous in their heraldrie: [neither are they all here; and ſome of them might not have been taxed, as being but mean benefices, none being in that roll of benefices below L. 40 of valued rent.]

ARCHIEPISCOPATUS STI ANDREAE.

Prioratus Sti Andreae
Dumfermling
Aberbrothock
Scona
Cowper
Lundoris
Cartuſia
Balmerinoch
Prioratus de Reſtinot
de Portmoog
de Pettenweyme
Miniſtratus de Scotlandwell
Cambuſkenneth
Sti Joannis de Torphichen
Elehok
Manuel
Abbatia Stae Crucis
Newbottle
Dryburgh
Kelſo cum Leſmahago
Coldinghame
Ecclis
Cauldſtreame
North Berwick
Haddingtoun
Howſtoun

DECANATUS STI ANDREAE.

Archidiaconatus St Andreae
Praepoſitura de Crail
Vicaria de Kylrennie
de Kilconqwhare
de Largo

Vicaria

Vicaria de Scoonie
de Kennowhey
Rectoria de Tarbat
de Kembak
de Dunnenaucht
Vicaria Sti Andreae
de Lewchars
Rectoria de Fliſk
Vicaria de Cowper
de Markinche
Rectoria de Dyſert
Vicaria de Kirkaldie
de Lathriſk
de Kinghorne Eaſter
Rectoria de Qwilts
Praepoſitura Sta Maria de Rupe

DECANATUS DE FOTHRICK.

Rectoria de Auchterdira
de Ballingry
Sacriſta de Dumfermling
Rectoria de Muckart

DECANATUS DE GOWRIE.

Rectoria de Dumbarnie
de Kinnowl
Vicaria de Longforgund
Praepoſitura de Methven
Rectoria de Forteviot
de Culleſs

DECANATUS ANGUSIAE.

Rectoria de Nava
de Effie
Vicaria de Lunbreckin
de Louchratin
de Kerrimuire
de Glamis
Rectoria de Kinnetles
de Inneraritie
de Tannadyce
de Dunlopie
de Logy-Montroſe
de Inchbryook
de Edvie
de Kynneill
de Edzell

DECANATUS MERNIAE.

Rectoria de Fettereſſo
de Arbuthnot
de Benholme
de Fettercairne
de Conveth
de Durres
Vicaria de Fordun

DECANATUS DE LINLITHGOW.

Vicaria de Striveling
Rectoria de Slamannan
Vicaria de Falkirk
Rectoria de Strabock
de Inchmauchane
de Caldercountis
de Kirknewtoun
Praepoſitura de Corſtorphine
Rectoria de Gogar
Vicaria Sti Cuthberti
Rectoria de Pentland
de Pennicook
de Laſwade
de Malville
de Reſtalrig
Praepoſitura Sti Aegidij
de Edinburgh
Stae Trinitatis
Archidiaconatus Laudoniae
Praeceptoria Sti Anthonij in Leith
Vicaria de Linlithgow

DECANATUS DE HADINGTON.

Rectoria de Tynninghame
Vicaria de Tranent
de Guillane
de Pencaithlen
de Hadingtoun
Rectoria de Kerringtoun
Praepoſitura de Creichton
de Dalkeith

DECANATUS DE DUNBAR.

Rectoria de Keith-Marſhall
de Lintoun
de Auldhameſtocks
de Dunbar
Archipreſbyter ejuſdem
Praebendarius de Pincart
Rectoria de Fawla
Praepoſitura de Bothans
Rectoria de Moram
de Petcolks
de Beltoun
de Spott
Vicaria de Muſſleburg
Praepoſitura de Dunglas
Vicaria de Cranſtoun

DECANATUS DE MERSE.

Rectoria de Upſtatlintoun
de Qwhitelum
Vicaria de Erſiltoun
Rectoria de Duns
de Ellem
de Polwart
de Chirnſyde
de Foulden

The province of this metropolitick ſee of St Andrews comprehends theſe nine ſees and dioceſes, viz. Edinburgh, Dunkeld, Aberdeene, Murray, Brechine, Dumblane, Roſs, Kaithnes and Orknay; the reſpective biſhops whereof are all ſuffraganes to the Archbiſhop of St Andrews, according to Dempſter's Apparatus, lib. i. cap. 14. But the Biſhop of Edinburgh is chiefe, and principall ſuffragane and chancellor; ſo conſtitute by the erection of that ſee, ut infra, chap. ix. ſect. 3.

SECTION VI.

A ROLL OF THE KIRKS WITHIN THE DIOCESE OF ST ANDREWS AT THIS TIME.

PRESBYTERIE OF ST ANDREWS.

St Andrews
St Leonards
Camron
Dunnunow
Kingſbarnes
Kilrynnie
Craill
Anſtruther Eaſter
Anſtruther Weſter
Pittenweeme
Abercrombie
Carnebie
Kilconquhaire
Elie
Newburne
Largo
Kemback
Ferrie
Lewchars
Forgun

PRESBYTERIE OF COWPER.

Cowper
Dairſie
Seres
Cults
Ketle
Faulkland
Auchtermuchtie
Colleſſie

Monymeall

Monymeall
Ebdie
Newburgh
Fliſk
Dunbug
Creich
Balmerinoch
Kilmany
Logy
Moonſie
[Strathmiglo]

PRESBYTERIE OF KIRKALDIE.

Kirkaldie
Abbotſhall
Kinghorne
Bruntiſland
Auchterdiran
Kinglaſſie
Balingrie
Portmoog
Markinſhe
Kennoway
Scoonie
Weyms
Dyſert

PRESBYTERIE OF DUNFERLING.

Dunferling
Innerkeithing
Torriburne
Carnock
Cleiſh
Kinros
Orwall
Kirkliſtoun
Clackmannan
Alloway
Muckart
Stow

PRESBYTERIE OF PERTH.

Perth
Kinnowl
Scoone
Colleſs
Kilſpindie
Erroll
Kinfawns
Arngoſk
Dumbarny
Forteviot
Methven
Rinde

PRESBYTERIE OF DUNDIE.

Maynes
Monyfooth
Murrayes
Stirk-Martine

Liff

Liff } united
Logie
Innergowrie
Fowlis } united
Lundie
Inchſture } united
Roſſie
Kynnaird
Forgun
Benvie

PRESBYTERIE OF ARDBROTH.

Barrie
Idvie
Ardbroth
St Vigeans
Innerkeillor
Innerlunan
Arbirlett
Kynnell

PRESBYTERIE OF MEIGLE.

Newtyle
Kettnis
Eſſie } united
Nevay
Blaire
Airlie
Lantrathin

PRESBYTERIE OF FORFAR.

Forfar
Aberlemno
Glamis
Tannadice
Roſcobie
Kinnetles
Inneraritie
Kerrimuire

PRESBYTERIE OF BRECHIN.

Inchbryock
Logy
Dun
Edzell

PRESBYTERIE OF MERNIS.

Durres
Fordun
Egliſgreige
Aberluthnot
Fettereſſo
Dunnotter
Benholme
Conveth
Ardburthnott
Fettercairne
Garvok
Bervie
Kynneff

CHAPTER

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER VI.

OF THE PRIVILEDGES AND DIGNITIES, ETC. BELONGING TO TI E SEE AS TO THE TEMPORALITIE.

SECTION I.

OF THE ARCHBISHOP HIS BEING COUNT PALATINE.

" COMES Palatinus" is deſcribed by Sir Henry Spelman, " qui in ter-
" ritorio ſuo, plenitudine jurium regalium fretus, juſtitiam ſui ipſius
" nomine, et ſuis officiliabus (quos e more regio habet) adminiſtrat, et
" perpetua dignitate inſignitur. Olim principes Palatini in germania
" erant reges, ſed devicti tandem fuerunt a Romanis." [The learned
" Cambden in his Britannia, edit. anno 1607, p. 121, thus deſcribes
Counts Palatine. " Verum inter comites longe honoratiſſimi erant illi qui
" Palatini ſunt dicti; ut enim Palatinus commune erat nomen omnibus

" qui officiis in regis Palatio fungebantur, ita Comes Palatinus titulus " erat dignitatis delatus ei qui fuit ante palatinus cum regali quadam " authoritate judicandi in ſuo territorio."—Et idem, p. 456. " Omnes " incolae illis ſolis (Comitibus Palatinis) in feodo, i. e. in fide, fuerunt." —Et poſtea, " Ejuſque tum primores, quos barones dicunt, tum vaſſalli, " tenebantur. Comites palatium accedere, ad conſulendum ipſi, et ipſius " aulam cohoneſtandam," &c.—See alſo p. 464.—Alſo ſee Selden's Titles of Honour, part ii. p. 241 et ſeq. p. 228, he cites Malmſburg, de geſtis pontificum. Speaking of Walker, made Count Palatine and Biſhop of Durhame by King William the firſt of England, he ſays " Dux pariter " Provinciae et Epiſcopus."]

Now the Archbiſhop of St Andrews has full power of regalitie in all his territories, and adminiſters juſtice by his owne officers and baillies in his owne and their names; and in ſome ſenſe has a regall power within his owne juriſdiction, ut vide infra in the notes on the golden charter, chap. vii. ſect. 2. Vid. alſo infra chap. vii. ſect. 1.

This honour is peculiar to the archbiſhops of St Andrews, and to no other ſubject in this kingdome at this day; and we reade of none who ever was Count Palatine, of a Scotſman, except Walter Earle of Stratherne, who mortified the kirk of Brechine. He is deſigned Palatinus de Stratherne, Atholiae et Cathaniae Comes, Dominus de Brechin et Cortoqwhie. Vide Sir George Mackenzie's Precedencie, p. 45; who alledges that the reaſone we have had ſo few Counts Palatine in Scotland is becauſe the Lords of regalitie have the ſame power which they have, yet their power is not ſo ample.

In England only the earldomes of Cheſter and Lancaſhire (now a dutchie) had this priviledge among the laicks, and in the church there only the biſhopricks of Durhame and Ely. But King Henry the eight, anno regni 27, impaired and reſtricted this juriſdiction as to the biſhops, and

and made the adminiſtration to run in the king's name only. As for the Comitatus Palatinus of Hexam, which belonged to the Archbiſhop of York, it was utterlie taken away by Queen Elizabeth, anno regni 14. But we never hear of its having been taken away from the metropolitick ſee of St Andrews.

[Theſe Counts Palatine in England, at leaſt Cheſter, had, and have yet, their barones under them. Hugh Lupus, Viſcount of Amarnges in Normandy, brother uterine to King William of England called the Conqueror, got from that king the earldome of Cheſter, and he created four barones under him, which was a great and ſingular priviledge.]

By this dignitie, wherewith the ſee of St Andrews is endowed, ſome think the prelates thereof had a facultie of conferring honours, and had alſo their chancellor in temporalibus. However that little can be alledged for proofe thereof, yet they had of old their chancellors as other great prelates; and the Biſhop of Edinburgh at this day is both chancellor and vicar generall of this ſee, and accordinglie officiates during the ſee's vacancie, and that by the erection of the ſee of Edinburgh into a new and diſtinct biſhoprick. Vide chap. ix. ſect. 3.

SECTION II.

OF THE PRIVILEDGE OF REGALITIE, FREE CHAPLE, AND CHANCELLARIE.

[REGALITIES are feues, which are granted by the king to ſubjects; and thoſe have as large a juriſdiction as the ſhreifes have in civills, or the juſtices in criminalls. They are accompted inferior judicatours, and, as ſuch, cannot judge the pleas of the crown; yet they have greater power in

in their proceſſes and in impoſing of fines than ſhreifes or other inferior judges. They are compted inferior to the juſtices or commiſſioners of juſticiaries; yet they have the ſame power with them except an expreſs law make the difference.]

A Lord of regalitie has a free juriſdiction within himſelfe, and is not ſubject to the ſhreife; and he may purſue the treſpaſſer within the regalitie, albeit he be called before the juſtice, and though the cauſe be depending againſt him there for the ſame crime. And the Lord of the regalitie is judge competent in all ſpulzies and ejections committed within the ſame, and may advocate them from the ſhreife. At what time ſoever a regalitie be granted by the king, the inhabitants are thereby exeemed from the juriſdiction of the heritable ſhreife or ſtewart, albeit heritablie infeft in theſe offices and in poſſeſſion of the juriſdiction long before the granting of the regalitie.

All the lands within a regalitie pertain to the Lord of the regalitie either in propertie or ſuperioritie: v. g. all the lands holden of the Archbiſhop of St Andrews are within his regalitie, and all the lands within his regalitie are holden of his Lordſhip. And, as Lord of the regalitie, his Lordſhip has right to the eſcheit goods that falls within the bounds of the regalitie. Stat. ſeſſ. p. 41.

Nota, it is impoſſible that any lands holden of the king immediately, can be within a regalitie. Hactenus Hope, filius.

My Lord Archbiſhop of St Andrews is Lord of free regalitie, and, qua talis, has as great power and juriſdiction within the bounds of his ſeverall regalities as the juſtice generall; yea, and his Lordſhip and his baillies may repledge from the king's juſtice generall, or the juſtice by commiſſion to his owne court, in caſe the baillie have prevented the juſtice by apprehending of the offender, or has execute ſummons againſt him to underlye the law, but not otherwiſe. And if the juſtice has prevented

vented the baillies of the regalitie, he may ſit as aſſeſſor, and has right to that pairt of eſcheit that he may claime by virtue of his office. Vide the act of parliament 1587, cap. 29.

But of late it is found that no baillies of regalitie, nor ſtewart, may repledge from the king's juſtice eire, holden by his juſtice generall; but they may ſit as aſſeſſors with the juſtice.

His Lordſhip's baillies and their deputs may cognoſce upon theft, ſlaughter, or any other crime upon citation; for, as Lord of the regalitie, he has not only ſupreme juriſdiction, et quaſi merum imperium, upon all the inhabitants within the regalitie, with the eſcheits of all perſones convict for any crime, except treaſone (whereof the eſcheit belongs to the king onlie), and to all other eſcheits falling by horning and civill rebellion; yea he claimes the eſcheits of baſtardie and laſt air: but this is not fullie decided.

His Lordſhip and his baillies hath alſo the power and libertie of weapon-ſhawing within the bounds of his regalitie; but that is gone in deſuetude theſe fortie years bygone. Item: he hath the power of civill juriſdiction in all civill cauſes and actions, which are perſewed before the Lords of Seſſion, except reductions, improbations, ſuſpenſions, and redemptions; and yet he hath greater priviledges.

Item: my Lord Archbiſhop of St Andrews, as Lord of regalitie, has libertie and priviledge of chaple and chancellarie, by directing of brieves and ſerving them before his owne baillies, as to the lands lying within the regalitie which hold of his Lordſhip, and that without any diſpenſation from the Lords of Seſſion: and the retour or extract of a ſervice before his baillies of the regalitie, or his deputs, make as great faith as the extract of a retour or ſervice furth of the king's chancellarie. And in regalities the ſervice and retour is all one, in reſpect the clerk of the regalitie doth both direct the brieves, and is clerk to the ſervice; ſo that the retour

is nothing but the extract of the ſervice regiſtrate in his books. But it is not ſo in ſervices and retours before the ſhreifs, for they muſt be ſent to the king's chancellarie. Vide the ſeverall acts of parliament paſſed anent regalities and the Lords thereof.

Of theſe regalities my Lord Archbiſhop of St Andrews has three, [viz. Monymuſk, Kirkliſtoun, and St Andrews.]

SECTION III

OF THE REGALITIE OF MONYMUSK.

THE Lordſhip of Rig and Monymuſk was given to the ſee of St Andrews by Malcolme the third, about the year 1057, Gregorius being then biſhop The occaſion whereof is related by Buchanan, lib. vii. p. 213. edit. Ultraject. But when the ſame was erected into a regalitie non conſtat yet it is thought by ſome to be the oldeſt church regalitie in the kingdome. In this regalitie the Marqueis of Huntlie is chiefe vaſſel, and heritable baillie to the prelates of this ſee; and he has a fee for his ſervice, and pays for the lands holden by his Lordſhip of the ſee (which are the moſt pairt of theſe within the regalitie) L. 300 Scots in name of few dewtie yearlie. But I have not ſeen the Marqueis his charter and gift, nether of the office of baillerie of the regalitie, nor of the lands.

SECTION

SECTION IV.

OF THE REGALITIE OF KIRKLISTOUN.

THE regalitie of Kirkliſtoun, in Weſt Lowthiane, belongs alſo to this metropolitick ſee of St Andrews, which comprehends the baronie and burgh of regalitie of Kirkliſtoun, maynes, kirk lands and mylne thereof; the kirk lands of Laſwade; the lands of Egliſmauchane; and the heritable offices of juſtice generall; juſtice courts; coroner of the regalitie of St Andrews beſouth the Forth; and of the lands of Killeith, Rathobyres, Linton, Sheills, Stow in Tweddall, Litle Preſton, Tyninghame, Livielands, and all other lands, baronies, lordſhips, towns, places, and villages in any pairt of the kingdome beſouth Forth, lying within the regalitie of St Andrews, either within the ſhreifdome of Linlithgow and Stirling, or conſtabularie of Haddingtoun, or other ſhreifdomes within the bounds foreſaid.

The archbiſhops heritable baillie in this regalitie of old was the Earle of Wintoun, who of late ſold the lands with the heritable offices to the Laird of Hopetoun, who now (as the ſaid noble predeceſſor) has alſo the heritable office of juſtice generall, and power of juſtice eires, and of coroner * of the ſaid regalitie beſouth Forth, and a fee of eightie merks to be retained by the baillie furth of the readieſt of the few dewties payable furth of the lands within the regalitie for his fee and labours in execution of the ſaids heritable offices; with the burgh of regalitie of Kirkliſtoun, weeklie mercats, fairs, privileges, cuſtomes, caſualties, and profeits thereof; with the libertie to hold juſtice, coroner, and head courts, and other baillie and ſtewart courts of the baronie of Kirkliſtoun as often as need be is, conforme to the cuſtome; and

* Coronator eſt coronae officialis ad tuendam pacem et dignitatem regiam conſtitutus, olim non minor equite aurato, ſed, diminuta hodie poteſtate, in exquirendis homicidiis praeſertim occupatus. *Spelman.*

and to make, conſtitute, and admit " ſcribas, clericos, notarios, tabelli-
" ones, apparitores, adjudicatores, ſerjandos, ſeu officiarios, coronatores,
" deputatos, et alios juris et juſticiae miniſtros;" and to exact their accuſtomed oath de fidele adminiſtratione.

[The firſt charter of theſe offices within this regalitie was granted by Patrick Archbiſhop of St Andrews to Robert Lord Seton, and his heirs male, Lords of Seton, in theſe terms: " Tota et integra officia juſticia-
" riae generalis terrarum noſtrarum, itineris juſtiariae et coronatoris
" regalitatis Sti Andreae ex auſtrali parte de Forth, viz. terrarum et
" baroniae de Kirkliſtoun, ſciz. the mains and kirk lands of Kirkliſtoun,
" mill of the ſame; the lands of Laſwade, Egliſinauchane, with the coalls
" of the lands of Kildelight, Rathobyres, Eliſtoun, Sheills, Stow in Twed-
" dall, Litle Preſtown, Tyninghame, and Lavilands, and of all lands
" ut ſupra. Nec non officium Balivatus baroniae de Kirkliſtoun, and
" others within the bounds foreſaid, cum poteſtate, facultate plenaria,
" et omnimoda licentia omnes et ſingulas curias noſtras itineris juſti-
" ciariae praedictarum terrarum, dominiorum, urbium, locorum, civita-
" tum, villarum, et baroniarum archiepiſcopatus Sti Andreae et regali-
" tatis noſtrae, et alias juſtitiae curias, coronatoreſque, et curias capitales,
" et alias quaſcunque balliatus ſeu ſeneſcallatus dicte baroniae apud et
" infra villam de Kirkliſtoun, ut moris eſt, tenendi, ſtatuendi, et ſectas
" vocandi, et vocari faciendi, et quoties opus fuerit, prorogandi, et con-
" tinuandi; ſcribas, clericos," &c. See the reſt in the Laird of Hope-toun's charte[illegible]wing. This originall charter of the offices to Lord Seton is dated October 1, 1586.]

And that the baillie's power may be the better known, I ſhall ſub-joyne the words of the Laird of Hopetoun's charter, relating to ane act of parliament dated Auguſt 4, 1621. The act is in number the 14th of the unprinted acts of that parliament. In the other priviledges be-

longing

longing to him as baillie of the regalitie, beſide what are formerlie mentioned, and therein alſo contained, they are " Abſentes, contumaces, et " rebelles, judicatos, arreſtatos, ſummonitos, attachiatos, delinquentes, " criminoſos, et tranſgreſſores quoſlibet accuſandi, et eorum quemlibet, " juxta juris exigentiam, et regni conſuetudinem, cum pitt et gallows " puniendi, plectendi, et corrigendi, ac mulctandi, paenaſque et mulctas " imponendi, eſcheatas, exitus, bloodwitts, amerciamenta, ſaſinarum bo- " ves, et alia quaecunque archiepiſcopo Sti Andreae et ſuis ſucceſſoribus, " ratione dicta regalitatis, aut alio quovis modo, ſpectantia, vel in futu- " rum de jure regni ſpectare valentia, petendi, exigendi, levandi, reci- " piendi, et ad proprios uſus et utilitatem, pro ſuis laboribus applicandi, " et ſi neceſſe fuerit, pro iiſdem namandi, et diſtringendi: Brevia inqui- " ſitionum, ac alia quaecunque capellae noſtrae brevia impetrata ſeu im- " petranda, recipiendi, aperiendi, proclamandi, et debite deſerviri faci- " endi, aſſizas et inquiſitiones proborum virorum ad ſufficientem nu- " merum citandi, eligendi, et jurare faciendi omnes et ſingulos homines " noſtros tenentes, ſubtenentes, vaſſales, libere tenentes, et alios quos- " cunque infra dictam regalitatem ſubditos, ex parte auſtrali aquae " de Forth degentes: Eorumque et cujuſlibet eorum res et bona in iti- " neribus juſticiariae et camerariae S. D. N. regis moderni et ſuorum " ſucceſſorum pro tempore exiſtentium, ſeu alios quoſcunque, vel quo- " rumcunque ſuorum aliorum vici comitatuum, burgorum, vel baro- " niarum, aut aliorum officiariorum, judicum ſpiritualium vel tempo- " ralium, ſeu eorum loca-tenentium, et deputatorum quorumcunque " curias intra regnum Scotiae, aut aliorum quorumcunque miniſtros, " pro quibuſcunque cauſis et actionibus criminalibus et civilibus, nunc " et pro tempore quovis modo indictatos, arreſtatos, attachiatos, citatos, " ſeu ſummonitos ad dictae regalitatis curias, et earum libertatem et pri- " vilegia reducendi, replegiandi, et repetendi, repeti et reduci, et pro

" tempore quovis modo judicatos, arreſtatos, attachiatos, citatos, ſum-
" monitos, attachiata et arreſtata replegiari petendi, et obtinendi; que-
" rulentibuſque ſeu proſequi volentibus uni vel pluribus in premiſſis vel
" premiſſorum aliquo curias, et juris terminum, de jure competentem,
" pro juſtitiam miniſtranda prefigendi, et aſſignandi, ac juſtitiam deſuper
" prout rectum et juris ordo expoſcit, miniſtrandi, et miniſtrari cauſandi,
" et ſi neceſſe fuerit pro premiſſis cautionem juridicam deſuper dandi, et
" praeſtandi: Cum poteſtate, facultate, licentia, et authoritate, menſuras,
" amphoras, ſtateras et pondera ad quaſcunque res et merces vendendas,
" aptas et apta, infra dictos limites dictae regalitatis, ac urbium, villa-
" rum, civitatum, pagorum, et oppidorum inibi menſurandi, metiendi,
" et quod juſtum eſt et rectum in illis ſtatuendi, mutandi ac corrigendi,
" ac, prout juſtitia ſuadebit, et ordo regni et reipublicae dictitaverit,
" illas et illarum partes rumpendi, frangendi, et alterandi, ac cum
" wrack, weith, waire, veniſon, infang theefe, outfang theefe, pitt and
" gallows," &c.

The charter revoks all former gifts and grants of the ſaids offices of ſtewartrie, bailliarie, juſtice generall, crownerie, juſtice airs, in the lands beſouth Forth within the ſaid regalitie of St Andrews, in reſpect of the ſaid charter and infeftment.

Item: there is a power reſerved to the biſhop and his ſucceſſors, to make officers and ſerjands for their owne farmes of lands, annuall rents, caines, rights and dewties dew to them yearlie and termlie, if need be is, and to poynd therefore for inbringing of the ſame to his Lordſhip or his chamberlanes.

And there is anc obligation upon the Laird of Hopeton and his heirs and aſſignees, to warne and cauſe all the tenants, vaſſells, annuall-renters, and others, inhabitants within the bounds of the regalitie, to adhere to, and ride with his Lordſhip his principall chamberlane, or maſter

maſter houſhold [familiae rector] and their ſucceſſors, in all conventions, and reids [exitibus] in defence of the kingdome and commonwealth, and of his Lordſhip and his ſucceſſors, both in time of peace and war, in all time coming when they ſhall be required. In the reddendo the receiver is obliged to give ſuite and preſence at three head courts to be holden at Kirkliſtoun yearlie, by the archbiſhop being preſent, and not otherwayes; and for the ſaids heritable offices of juſtice generall, crowner, bailliarie and ſtewartrie, and for the foreſaid fee to be retained, twa pennies Scots. This charter is dated March 6, 1677.

[It were fit to enquire into that act of parliament, mentioned in the table of the unprinted acts, James the ſixth, parliament 23, anno 1621, No. 14, intituled, *Act in favours of the Earle of Wintoun anent the regalitie of St Andrews on the ſouth ſide of Forth.*

This regalitie of Kirkliſtoun is called the regalitie of St Andrews beſouth Forth, as if it comprehended all the lands beſouth Forth within that regalitie; and yet there is a charter granted by Mark Lord Borthwick to James Pringle of Gallawſhiells, of certain lands, together with the office of juſticiarie and bailliarie of the whole regalitie of Stow, and of all lands within the ſame; eſpeciallie Fernyherſt, Stow, Cribbielaw, Lugate, Over and Nether Wedderſtoun, Sheills, Nether Sheills, Over Sheills, Symontoun, Plaintoith, Kirkſueip, Printatoun, Honlaſtoun, Gilmertoun, Cumlarig, Haltrie, Brokhouſe, Torſans, Crumſide, Cardrop, Boulong muir, Burnhouſe and Hoperingle, Meikle Catpair, Little Catpair, Michelſtoun, Stow-miln and Muirhouſe, Printados, Coltifernie, Craigend, Torquhen, Penplof, Pirnie, Kiltaſlat, Bowſhank and Bowland, Compoiſlack, Lathanche, with the fee of 100 merks furth of the readieſt of the duetie of theſe lands and regalitie; with all other fees belonging to theſe offices uſed and wont pertaining before to the Archbiſhop of St Andrews, and then (at the granting of this charter) to the king by the act of annexation;

nexation; and with the priviledges belonging to the offices of juſticiarie, bailliarie, and regalitie; the offices to be holden of the king, reddendo for the offices and fee of 100 merks, one pennie in name of blench farme, cum fideli adminiſtratione in dictis officiis. This charter is dated January 21, 1604.

This regalitie, mentioned in the laſt charter, cannot well be eſteemed and compted a diſtinct and ſeparate regalitie from the regalitie of Kirkliſtoun, but rather a pairt or pendicle thereof; becauſe, both the charter granted originallie to the Lord Seton, and the other to the Laird of Hopetoun, ſeem to include and comprehend the regalitie of Stow, under the regalitie of Kirkliſtoun; and therefore I have not aſſigned to the regalitie of Stow a ſpeciall and ſeparate title.]

SECTION V.

OF THE REGALITIE OF ST ANDREWS BENORTH FORTH.

THE third regalitie, belonging to the venerable prelates of this ſee, is the regalitie of St Andrews benorth Forth, the chiefe and moſt conſiderable of the kingdome. By what king the ſame was erected, and in what biſhop's time, I cannot determine. The firſt mention that I find made thereof is in the extract furth of the regiſter of the monaſterie of St Andrews, ut infra, chap. vii. ſect. 1. by which it appears that this priviledge is verie old. And, ſince regalities were in Scotland before King David the ſecond his time, it is to be preſumed that this ſee had the priviledge even before that, the regalitie of the ſee of St Andrews being preſumed one of the oldeſt in the kingdome. Alſo mention is made of the Biſhop of St Andrews his regalitie, but ane hundred years after the date of

of the deed whereto the extract relates. In Biſhop Henry Wardlaw his erection of the Univerſity of St Andrews, which was in 1411, ſome years before King James the firſt his coming out of England and being crowned in Scotland, mention is made of the biſhop's regalitie, which ſerves to confute the conjecture of ſome, that this regalitie was firſt gifted to the ſee of St Andrews, with the Lordſhip of Byrehills and Polduff (a pairt of the Earle of Fife his eſtaite), by King James the firſt, as coming and falling in his hands by the forfaulture of Murdo Earle of Fife, this king's couſine german, whoſe father [Robert Duke of Albany, Earle of Fife, ſome think] married William Ramſay Earl of Fife his daughter, who ſucceeded in the inheritance and honours of the famous [Duncan] Macduff Earle of Fife [of that ſurname] by a marreage with a daughter or grandchild of the old earles of Fife, who for their great ſervices to the crown were endued with the priviledges of girth and regalitie.

[The conjecture is indeed ingenious, but doeth not hold and ſubſiſt, for it is thus diſproven. 1o. Robert Duke of Albany, father to Murdo, did not marrie William Ramſay's daughter, but he married Raviſa Macduff, ſecond daughter to Duncan Macduff Earle of Fife, and componed with Iſabell Macduff his ſiſter-in-law and the Earle's eldeſt daughter, for the earldome of Fife. See Sir John Skene de ſignificatione verborum, in voce Arrage. 2o. Mention is made of Biſhop Henry Wardlaw his regalitie of lands in Fife, in the foundation of the Univerſity of St Andrews in anno 1411, which was fifteen years before the forfaulture of Duke Murdo anno 1426; ſo that the conjecture cannot be admitted, albeit it were ſuppoſed that at that forfaulture the lands of Byrehills and Polduff (no part of the Earls of Fife or Duke of Albany their fortune) had then been gifted to the ſee of St Andrews. 3o. The Madcuffs, old earles of Fife, had the great priviledge of girth at Croce Macduff

near Newbrugh, and the preſent ſtewartrie of Fife belonged to them: and by their fall and Murdo his forfaulture, the ſame fell into the crown, and was fewed out afterwards: and ſome of the firſt few-charters, with the ſeals of king and parliament, are yet extant. 4o. That which ſeems to have given riſe to the miſtake, is, the affinity of ſound betwixt the words Inchmurdoch and Inchmortach, which I think but one, and a bare preſumption, that the ſame belonged to Murdoch, Earle of Fife and Governor of Scotland. But Inchmortach never belonged to them, but was a pairt of the patrimonie of the ſee of St Andrews long before him; for Biſhop Lamberton, among his other great buildings, built Inchmortach. See chap. xi. *ſect.* 2.]

The juriſdiction of the regalitie of St Andrews benorth Forth, reaches all lands holden of the ſee, or of the pryor and convent of St Andrews (as well before the mortification and annexation of the priorie to the biſhoprick by King Charles the firſt, in May 1635, as ſince), in Merins, Angus, Perth, Fife, and ſome in Lowthiane, as Drem and Parkley, &c. holden of the ſee of St Andrews, that are not included in the regalities alſo belonging to the archbiſhoprick. Item: the lands holden of the provoſtrie of Kirkheugh, which benefice was diſponed, with the vicarage and archdeaconrie of St Andrews, to the archbiſhop and his ſucceſſors, and annext to the ſee by the king and parliament anno 1606, ut vide infra.

This regalitie has includit in it, and annexed thereto, a ſtewartrie; and ſtewartries are offices created in the king's proper lands, as they fell to the crown by forfaulture, or were annexed thereto, with the power of ſhreiffhip, and priviledges as ample as a regalitie; only, ſervices before ſtewarts are retoured to the king's chancellarie, but it is not ſo in regalities: Hence ſome have conjectured that this ſtewartrie was gifted, by King James the firſt, to the ſee of St Andrews, upon the forfaulture of Murdo,

Murdo, Governor of Scotland and Earle of Fife; which may be admitted if the regalitie and ſtewartrie were ever diſtinct, and conferred upon the ſee at divers times; de quo non apparet. [20. The ſtewartrie of Fife, and the Biſhop of St Andrews his ſtewartrie, are diſtinct juriſdictions at this day, and, for any thing known to the contrair, have been ſo for many years before.]

Item: this regalitie has alſo incorporate therewith the office of juſtice generall in all the bounds of the regalitie: By virtue whereof my Lord Archbiſhop's baillie and his deputes can adminiſter juſtice criminallie upon delinquents, and can alſo repledge the vaſſells and others within the territorie of the regalitie from all juſticiar and ſhreif courts, finding the caution cul-reach that juſtice ſhall be done in the regalitie courts to the complainer upon the perſon repledged. And if at any time the Lords of the King's Juſticiary proceed to puniſh crimes, done and committed by the archbiſhop's vaſſells, his baillie and deputes may prevent them, by firſt ſummoning and attaching the perſones guilty, and ſo have jus preventionis, and may proceed, and then the caſualties are entirelie theirs. But if the Lords of the Juſticiary prevent the baillie of the regalitie and his deputes, by firſt ſummoning and attaching, then may the baillie of the regalitie and his deputes ſit and judge with the juſtice generall, and they will get their pairt of the eſcheits.

The archbiſhop's baillie in all theſe offices of old, were the Lermonths of Dairſy; and till after the reformation, the gifts thereof were either durante bene placito, or ad vitam onlie, till Archbiſhop John Hamilton diſponed the ſaids offices heritablie to Sir Patrick Lermonth of Dairſy, with a fee of L. 46 : 13 : 4 out of the farms of Dairſy, or other lands holden of the ſee, by a charter April 4, 1563, quam vide infra, ſect. 6. hujus cap.

Theſe

Theſe heritable offices, after that charter, continued with that familie about 40 years; and then they were appryſit from William Lermonth, grandchild to Sir Patrick, by John Lord Lindeſay and Sir Robert Lindeſay his brother, and have remained with that honourable familie ever ſince. This William Lermonth was entered and confirmed in his offices by King James, anno 1595; and the Lord Lindeſay, upon expiring of the legall of that apprizing, was entered to the ſaids haill offices by George Archbiſhop of St Andrews, and procured the charter to be confirmed in parliament: and the preſent Earle of Crawfoord, in his father's lifetime, is dewlie entered thereto by the laſt Archbiſhop of St Andrews, in Auguſt 1668. The charter diſpones all offices of ſtewartrie, bailliarie, and juſticiarie generall of the regalitie of St Andrews, and of all and ſundrie lands, lordſhips, touns, places, cities, villages, and baronies upon the north of the water of Forth; alſo officium coronatoris, curiarum juſticiarae itineris, to be holden within the regalitie, with all liberties and priviledges pertaining to the ſaids offices, and eſpeciallie the ſaid fee of L. 46 : 13 : 4 Scots yearly, to be paid "de primis et promptioribus "feudi firmis et divoriis terrarum de Dairſy," to be holden blench for payment of ane pennie, at Whitſunday yearlie, in name of blench dewtie. The charter contains alſo other offices, quae vide ſect. ſeq.

James Wardlaw of Torrie, as having a gift of bailliarie from the Archbiſhop of St Andrews, did contend for the office of bailliarie with John Lord Lindeſay and his depute Mr Robert Bruce, within the pariſh of Torrie and towne of Torrieburne, and in a ſuſpenſion of multiple poynding raiſit by the indwellers of Torrieburne againſt both pairties, their rights were diſputed hinc inde; yet the Lords preferred the Lord Lindeſay and his depute to Wardlaw, who alledged upon a gift of bailliarie from the archbiſhop, and that he was infeft cum curiis et earum exitibus, before the Lord Lindeſay and his authors their right and gift

to

to the office from the archbiſhop. The decreet is full and ample, and is dated January 21, 1630; [but the deciſion is not printed in Durie's Collections.]

The regalitie as it hath ane heritable baillie, ſo alſo ane heritable dempſter verie long ago. This is Lawrence Wann and his predeceſſors, who are obliged, without all intimation, to be preſent at all head courts of the ſtewartrie and regalitie, and at others when required; and that by divers charters granted to him by the archbiſhop, but eſpeciallie by one dated May 6, 1565, for which and ſome other ſervices about the Guard Bridge, he and his predeceſſors have fewed and diſponed to them four acres of ground, with the houſes at that bridge, the paſture of two horſes and four kye with the tenants of Kincaple their beſtiall; which is no new gift, but is conforme to old charters granted to Laurence Wann's predeceſſors.

As to the regalitie of Roſcobie in Angus, it is not a diſtinct, entire, and complete juriſdiction by itſelfe, ſo as to be numbered and accompted a fourth regalitie, becauſe it is but a pairt of the regalitie of St Andrews benorth Forth; and the Earle of Crafurd is heritable baillie thereof, not by a diſtinct right by itſelfe, but by virtue of the charter and gift of the heritable offices to his Lordſhip's predeceſſors, conſtituting them heritable baillies in all the lands belonging to the ſee benorth Forth, which is always underſtood to be but prejudice to the regalitie of Monymuſk, and the Marqueis of Huntlie heritable baillie thereof.

SECTION

SECTION VI.

OF THE ORIGINALL CHARTER OF THE OFFICES HERITABLIE.

JOHN HAMILTON Archbiſhop of St Andrews, by his charter dated April 4, 1562, narrating the advantages of conſtituting a magiſtrate for the offices of ſtewartrie, bailliarie, juſtice generall of the regalitie of St Andrews, and coroner of the juſtice courts and eirs, &c. for the good ſervices of Patrick Lermonth of Dairſy, Provoſt of St Andrews, and for great ſums of money payed by him, and for his former good adminiſtration of theſe offices, therefore, with conſent of the chapter, the ſaid archbiſhop grants, gives, diſpones, and confirms to the ſaid Patrick Lermonth and his heirs male whatſumever, the offices of ſtewartrie, bailliarie, and generall juſticiarie of the haill regalitie of St Andrews, and of all lands, lordſhips, touns, places, cities, villages, and the archbiſhop's baronies benorth Forth, and the office of coroner of juſtice courts and eirs to be holden within the ſaid regalitie; and conſtituts the ſaid Patrick and his heirs male whatſumever, heritable ſtewarts, baillies, generall juſtitiars, and coroners of the ſaids juſtice eirs to be holden, the ſaids offices with the pertinents, of the ſaid archbiſhop and his ſucceſſors in fee and heritage for ever; with power and licence to him to hold and appoynt all head courts, and other courts whatſumever, of all lands, lordſhips, baronies, &c. of the archbiſhoprick and regalitie of St Andrews, and alſo juſtice eirs within the ſaid regalitie, as oft as need be is; to call the ſuits and continue the courts as they ſhall think fit, and to create and ordaine "clericos, notarios, tabelliones, adjudicatores, ſerjandos, "coronatores, deputatos," and other miniſters of juſtice one or mae; to admit them, and require and receive of them "juramentum fidelitatis "(i. e. de fidele adminiſtratione) conſuetum; abſentes, contumaces, et "rebelles,

" rebelles, judicatos, arreſtatos, ſummonitos, attachiatos, delinquentes, " criminoſos, et tranſgreſſores quoſlibet accuſandi, et juxta exigentiam " juris et regni conſuetudinem, cum gladio, patibulo, ſeu furca et " foſſa (vulgo ſword, pitt et gallows) puniendi, corrigendi, caſtigandi, " et mulctandi;"—and to impoſe fynes and mulcts; to exact and receive the iſſues (exitus), amerciaments, bloodwitts, and ſeaſine oxen to their own proper uſe; to receive, open, proclaime, and cauſe be ſerved breives of inquiſition to be raiſit furth of the archbiſhop's chaple; to cite, chooſe, and ſweare aſſizes; and to repledge the vaſſells, tenants, and ſubtenants within the ſaid bounds, cited to the king's juſtice and chamberlane courts, ſhreife or baron courts, and others ſpirituall and temporall, for any civill or criminall cauſes, from the ſaid courts to the ſaid regalitie court; and to prefixe a terme of law for doing juſtice, and to find caution for that effect; with power to mett and meaſure all weights and meaſures within the bounds of the regalitie, and in all touns, villages, and cities therein, and to break and deſtroy all that are unjuſt and falſe (which is the camerarius or chamberlane his offiee, albeit it be not expreſt in the charter); and with all other liberties, profeits, and commodities, as well not named as named, belonging, or may belong to the ſaids offices, frielie, quietlie, &c. providing it be lawfull to the archbiſhop and his ſucceſſors to make and conſtitute their chamberlanes and officers for inbringing their rents, annuall-rents, kaynes, rights and dewties dew to them, and to poynd and apprize therefore at their pleaſure.

The charter obliges the baillie, and his airs male, by virtue of the ſaid infeftment, to warne and cauſe all tenants, vaſſells, annuall-renters, and others dwelling within the bounds of the ſaid regalitie, to convene with, and adhere to the ſaid archbiſhop and his ſucceſſors, or their principall chamberlane, or maſter, or governor of their familie in all time coming,

coming, in all conventions and armies, both in peace and war, in defence of the kingdome and commonwealth, as oft as they ſhall be required.

There follows in the charter a generall revocation of all commiſſions of all or any of the ſaids offices, to any perſone before the date of the ſaids heritable infeftment; and eſpeciallie commiſſions to cognoſce in the cauſes in the baronies and lordſhips of Roſcobie, Fife, and Biſhop-ſhyre, any way concerning the regalitie of St Andrews in the offices above named in reſpect of the ſaid infeftment, providing that juſtice eirs be not affixt nor proclaimed, without the archbiſhop and his ſucceſſors their ſpeciall licence and command; and that the profeits and eſcheits of the courts of juſtice eires to be holden ſhall perteine to his Lordſhip and his ſucceſſors (ſalvo jure coronatoris predicto). Item: the baillie, and his airs male, are obliged, at their entrie to the ſaids offices, praeſtare juramentum fidelitatis to the archbiſhop and his ſucceſſors. And then follows an aſſignation to the baillie and his airs male, baillies in the ſaids offices, to 46 lb. 13 ſh. 4 d. out of the feu fermes at Dairſy, or any other lands belonging to them holden of the ſee, and that for their ſervice, charges, and expences, to be deburſed by them out of their proper goods, to ſerjands and officers of the regalitie for their ſervice, and in adviſing proceſſes and rights in the cauſes deduced before them with lawyers at Edinburgh.

The reddendo for theſe offices to the archbiſhop and his ſucceſſors, from the ſaid Patrick Lermonth and his heirs, is ane pennie Scots, in ſignum ſuperioritatis praemiſſorum, at Whitſunday, in name of blench ferme, if it be aſked, pro omni alio onere, &c. Then follows a clauſe of warrandice of all the offices contra omnes mortales, and a precept of ſeaſine.

The copy bears the archbiſhop's round ſeall, and the chapter's ſeall to be appended, and is dated thus: " Apud dictam eccleſiam noſtram metropolitanam

" metropolitanam et primitialem Sti Andreae, 4to die menſis Aprilis, An. " Dom. 1562; noſtrae conſecrationis anno 16to, et ad regni primitialem " ſedem tranſlationis anno 13to," (it ſhould be). The witneſſes inſert, but not ſubſcribing, are, Mr William Forreſt, rector of Logy-Montroſe; Michael Naſmyth of Poſſo; John Hamilton of Blackſtoun; Mr William Bayne and William Stewart, the archbiſhop's ſervants. Sic ſubſcribr. Joannes Sti Andreae Archiepiſcopus.

SECTION VII.

OF THE ARCHBISHOP'S RIGHT OF ADMIRALITIE, GIFT OF CUSTUME, AND POWER OF COCKET.

ADMIRALLUS is ane equivocal word. In ſome pairts of old it was uſed to ſignifie even officers of land armies, and ſometimes princes and kings. And " apud Monſtroletum, occurrit arcubaliſtarum admiralius, pro ip- " ſorum praefecto."—Spelman derives the word from the Arabic Amir, i. e. princeps; and the Greek ἁμᾶς, i. e. marinus, ut ſit admiralius, vel potius amiralius, princeps, vel praefectus marinus vel maris, idem quod Thalaſſiarcha; ane office long in this iſle before it gate this name, which ſome think Edward I. King of England brought from the Holy War, and that the court of admiralitie was firſt inſtitute by King Edward the third. The power and priviledge of admiralitie belongs alſo to the ſee of St Andrews; and the Lord Archbiſhop is abſolute Lord Admirall within his owne bounds and territories of his regalitie, and lands holden of him, which comprehends all the lands on the coaſt of Fife that hold of the ſee, viz. Torrie, Methel, Pirnie, Leven, ſome ſay Ely alſo, Pittenweyme, Anſtruther Weſter and from Pitmillie-burne mouth to the

mouth of the water of Eden, and at Ferry-port-on-Craig; in all which the Lord Archbiſhop and his baillies have full right and power of admiralitie, and have alſo a power of iſſuing and directing cockets from their own admiralitie office to ſhips outwith bound from ports within their owne juriſdiction, and that in the Lord Archbiſhop's owne name: A ſingular priviledge, and by report and information, peculiar to the ſee of St Andrews and the venerable prelates thereof; and it is believed that it is not enjoyed ſo fullie and amplie by any in Europe beſides, under the dignitie of a ſovereign.

That the ſee hath this priviledge the act of parliament 1641 fullie proves, which ordaines cockets within the regalitie of St Andrews from that time to be directed in the king's name, and bears thir words expreſslie:—"Whereas the ſamen were before directed in the name of "the Archbiſhop of St Andrews;"—and albeit theſe acts be reſcinded by law, and that the biſhops be reſtored to all their honours, dignities, and priviledges, yet the cuſtome of directing cockets ſtill, in the king's name onlie, obtaines to this day, to the great detriment of the ſee: whereof the worthy late Archbiſhop Dr Sharp came of late to be verie ſenſible, and to my certaine knowledge, intended to have the wrong redreſſed, and the ſee repaired and put again in poſſeſſion of this honourable and ancient priviledge, if he had lived to ſee another parliament.

But this great and ſingular priviledge, peculiar to this ſee, ſeems now to be quite cut off by the 16th act, par. 3. Car. II. anno 1681, whereby it is declared, that it is the ſole right and priviledge of the High Admirall and his deputes, the judges of the high court of Admiralitie, to grant paſſes and ſafe conducts to all ſhips, diſcharging all others to grant the ſame. The act reſcinds all laws, acts of parliament, or cuſtomes contrarie to, or inconſiſtent with the act. Notwithſtanding whereof, the archbiſhop's

archbiſhop's baillie and his deputes are ſtill in uſe to grant cockets within their bounds.

Nota, the preſent cocket ſeall has on the one ſide the king's arms with this circumſcription: Carolus D. G. Mag. Brit. &c.; and on the other ſide St Andrew bearing his croſs with this circumſcription: Sigillum Coquetae Sti Andreae.

It is true King Robert the firſt gave ſuch a priviledge to the abbacie of Dumferline, that their cocket ſhould be received as his owne cocket, by a writ dated June 10, anno regni 16to; but the writ is directed ſpeciallie thus:—"Scabinis et burgi magiſtris, et toti communitate de "burgis;" with thir words, "quotieſcunque mercatores veſtri Flandri, "ſeu cujuſcunque nationis, ad partes veſtras cum mercandis ſuis acce-"dentes, cocketam abbatis et conventus de Dumferline vobis praeſen-"taverint, ipſam acceptare curetis;"—and ſo their priviledge in this was ſpeciall, and, it ſeems, temporarie.

The archbiſhops of St Andrews have alſo the priviledge of cuſtume, and a right to exact and uplift the cuſtume of all goods paſſing from any ports within their juriſdiction and admiralitie in all ſhips outwith bound; and his Lordſhip's baillies and their deputes are in continuall uſe to uplift the ſame, and that by virtue of a charter granted by King David the ſecond, dated June 5, anno regni 33to, i. e. an. Chriſti 1362, bearing, that the reverend biſhops of St Andrews in former times had the great cuſtume of the goods of the citizens of St Andrews, and have been in poſſeſſion thereof to that time, and the king not intending to diminiſh, but to augment their priviledge and poſſeſſion, upon conſideration of the many labours and great expences of William de Laundhills, Biſhop of St Andrews, for his Majeſty and the commonwealth, therefore the king ratifies and approves the ſaid cuſtume [cuſtumam] for all the dayes of his lifetime: and of new gifts and confirmes, in this manner,

ner, viz. " That the citizens of St Andrews ſhall be free to buy wooll, " leather, et pelles lanitas, wherever they pleaſe, as well within Cowper " of Fife as any pairts of Fife and Fothriff, and elſwhere within the " biſhop's bounds; and that they be not compelled to pay the great " cuſtume thereof to any but the ſaid biſhop his ſervants for the time, " notwithſtanding of other grants made to other perſones or places, " which ſhall not derogate from the liberties and priviledges of the " biſhop and his citizens in any thing; and that the biſhop and his " ſucceſſors ſhall have, and poſſeſs, the great cuſtume of all goods liable " in cuſtume coming to the burgh of St Andrews and port thereof, to " their port at Eden, aut ibidem, carrucatis, * una cum eſcheta lanae, " coriorum et pellium lanitarum, if any ſhall be found in the ſaid ports " not cuſtumed. Et quod cocketa ſua dicti burgi Sti Andreae ubicunque " infra regnum noſtrum ita libere recipiatur, et allocetur, ſicut cocketa " noſtra propria ubicunque liberius recipiatur et allocetur; and, there- " fore, commands the king's miniſters, and others having intereſt, qua- " tenus praedicto epiſcopo, hominibus ſuis praedictis et miniſtris in " omnibus, confirmationem et conceſſionem praedictam concernentibus, " reſpondeant, pareant, et intendant. Et prohibemus ne ipſum epiſco- " pum, homines ſuos et miniſtros, contra tenorem praeſentium gravent " aut impediant ſub poena omnium quae erga nos amitti poterunt."— This gift of the great cuſtume in " lanis, coriis, pellibus, carnibus, et " aliis quibuſcunque ad magnam cuſtumam pertinentibus," is confirm- ed by King Robert the third, " Eccleſiae Sti Andreae et Henrico [Ward- " law] epiſcopo, et ſuis ſucceſſoribus in puram et perpetuam Eleemo- " ſynam, an. 1405, et regni ſui 16to."

The

* i. e. Oneratis, ab Italico Carrico, onus: Carrocium idem eſt quod Carrum, Rheda; et navis ad onera grandiora dicitur Carucha, et Caruca; hence our Highland Carroche, quaſi currum marinum. Spelman. Carroghes ſunt naviculae coriaceae apud Hibernos. Vide Plin. Nat. Hiſt. lib. viii. cap. 56.

[The archbiſhops and biſhops of St Andrews have been in uſe to beſtow and confer this office of cuſtomer, or of the great cuſtome, and the keeping of the cocket ſeall, upon ſome of their conſiderable vaſſells; but moſt frequently upon the Lermonths, while the familie had the lands of Dairſy, and was in good eſteeme. For, firſt, Biſhop James Kennedy gave a gift thereof to John Lermonth, by his charter May 2, 1461. Alſo Archbiſhop Andrew Foreman by his charter, with conſent of the chapter, dated 20th Apryle 1517, gave to David Lermonth of Clatto (who was grandfather to Sir Patrick), and to James Lermont his apparent air, and Katharine Ramſay his ſpouſe, and to the longeſt liver of them: "Officium magnae cuſtumae civitatis Sti Andreae, cum cuſtodia "utriuſque folii ſigilli cocketa ejuſdem," with a power to ſubſtitute others. Reddendo to the archbiſhop and his ſucceſſors and their deputs, "fidele computum et rotiocinium ſemel in anno aut pluries."—And the archbiſhop commands all concerned, to anſwer and obey them in all things pertaining ad officium cuſtumae of the city of St Andrews, and to the keeping of both leaves of the cocket thereof.]

This office of great cuſtumer of the city of St Andrews, and pairts of the haill regalitie thereof, with the keeping of both leaves of the cocket, with all proffeits, dewties, ſalaries, and pertinents, were firſt heritablie diſponed by John Hamilton Archbiſhop of St Andrews, to Patrick Lermonth of Dairſy, and his airs male whatſumever, with power to ſubſtitute fit perſones ane or mae in his place, for whom he ſhould be anſwerable; and that by a charter granted thereupon, and dated 16 Decemb. 1556, to be holden of the archbiſhop and his ſucceſſors in fee and heritage for ever, with fees, dewties, liberties, conſuetudes, and pertinents whatſumever, for payment of L. 20 Scots yearlie to the archbiſhop and his factors, with the duplicando at the heir's entrie. The charter contains the ordinarie clauſe irritant, and the obligation on the receiver's

heirs in their firſt entrie to the office; " facere et impendere homagium, " ſeu juramentum fidelitatis." The warrandice is " contra omnes morta- " les, with this ſubjoined, quare univerſis noſtris ſubditis praecipimus, " quatenus dicto Patricio Lermonth et ſuis haeredibus et deputatis in " omnibus ad dictum officium pertinentibus, viz. in omnibus feodis et " ſalariis prout ex antiquo ſolitis juxta conſuetudinem dictae civitatis " et aliorum burgorum, reſpondeant, pareant, et efficaciter intendant, " ſub omni poena quae inde de jure ſequi poterit;" and then follows a precept of ſeaſine (authoritate noſtra) for infeoftment in the foreſaid office of great cuſtumer, or great cuſtume of the citie and ports of the regalitie of St Andrews, with the keeping of both leaves of the cocket ſeall, and haill fees, rights, ſalaries, and dewties, and pertinents thereof, by tradition or aſſignation of both leaves of the cocket ſeall, and the weights of the place, at the mercate croce of St Andrews.

[Nota, that by this charter the office is diſponed heritablie; whereas the two former charters, the one by Biſhop James Kennedy to John Lermonth, and the other by Archbiſhop Foreman to David Lermonth, were not granted to airs, but to the receivers, for their lifetime only.

This charter, granted by John Hamilton Archbiſhop of St Andrews to Patrick Lermonth and his airs, is confirmed by a charter under the Great Seall of Scotland, dated 26 Apryle 1583.

Sir Patrick Lermonth of Dairſy having gotten this office to himſelfe and his heirs from Archbiſhop Hamilton, he, by his charter dated 20 Apryle 1578, ſells and diſpones to Allan Watſone, citizen of St Andrews, and to his airs male, " Officium magni cuſtomarii ſeu cuſtumae civita- " tis Sti Andreae, ac portus totius regalitatis ejuſdem, cum cuſtodia " utriuſque folii ſigilli cocketi ejuſdem civitatis, cum omnibus et ſingu- " lis proficuis, divoriis, ſalariis, et pertinentibus quibuſcunque, cum po- " teſtate ſubſtituendi unum virum aut plures, pro quibus reſpondebunt,

" tenendum

" tenendum dictum officium magni cuſtumarii ſeu cuſtumae civitatis " Sti Andreae, ac portus totius regalitatis ejuſdem, cum cuſtodiis utri- " uſque folii ſigilli coquetae, praefato Allano Watſone ejuſque praedictis, " de praefato Domino Patricio Lermonth ejuſque haeredibus maſculis " in feodo, et haereditate in perpetuum, adeo libere, ſicut ipſe dictum " officium de reverendiſſimo archiepiſcopo tenet, ſecundum cartam ipſi " per archiepiſcopum conceſſam, dedata 16 Decem. 1556. Reddendo, " Domino Patricio unum denarium nomine albae firmae, et reddendo " archiepiſcopo Sti Andreae, ejuſque ſucceſſoribus, ſummam viginti li- " brarum ad duos anni terminos, &c. Et duplicando eandem ſummam " primo anno introitus haeredis ad dictum officium." The warrandice is " ſecundum conſuetudinem dictae civitatis et aliorum burgorum."]

The Earle of Crafurd [whoſe predeceſſors appryzed the right of deput-admirall and other offices from the Lermonths in their decay and diſtreſs,] is now conſtitute heritable admirall-deput to the Lord Archbiſhop, and William Earle of Crafurd is actuallie entered thereto and infeoft therein by the Lord Archbiſhop Dr Sharp his charter, Auguſt 17, 1668, whereby is diſponed to his Lordſhip, and his airs male and aſſignees, " Officium magni cuſtumarii ſeu cuſtumae civitatis Sti An- " dreae et portis (lege ut vulgo) dictae regalitatis cum ſola cuſtodia utri- " uſque folii ſigilli cocketae (lie cocket) una cum omnibus feodis, profi- " cuis, divoriis, annexis, connexis, dependentibus et pertinentibus; et " officium inveſtigandi, percontandi, inquirendi, et inſpiciendi (vulgo " lie ſearcherie) ſingula bona quarumcunque navium, tam magnarum " quam minorum, applicantium ſe ad quoſcunque portus marinos re- " galitatis Sti Andreae; ac officium admiralitatis regalitatis Sti Andreae, " infra omnes bondas ex boreali parte aquae de Forth, omnium et ſin- " gulorum dominiorum, baroniarum, burgorum, civitatum, oppidorum, " villarum, portuum (lie havens), et aliorum quorumcunque tam de

" archiepiſcopis

" archiepiſcopis Sti Andreae tentorum ab antiquo, quam de praepoſito " de Kirkheugh, nunc ad archiepiſcopatum praedictum unitorum," with " with all the fees, proffeits, and pertinents thereof. The charter provides the offices to be holden feu of the archbiſhops of St Andrews and their ſucceſſors, for payment of L. 20 Scots yearlie in name of feu ferme, and the airs duplicando, at their entrie.

This charter, ut ſupra, confirmes to the Earle of Crafurd alſo the office of ſearcherie; which office was firſt granted by Patrick (Adamſon) Archbiſhop of St Andrews to Patrick Lermonth of Dairſy, by a charter in March 1577, and he was infeft thereupon; which charter and infeoftment are confirmed [by James the ſixth] under the Great Seal, April 13, 1593.

Nota, the citie of St Andrews have yet to this day in their keeping one copperplate of a double ſeall (which being loſt I recovered in anno 1673), having the toun's coat of arms engraven thereon, with this circumſcription: " Sigillum cocketi civitatis Sti Andreae." The plate is about the breadth of half a crown. But quorſum the toun had it, or what uſe was ever made of it, I could never learne.

SECTION VIII.

OF THE ARCHBISHOP'S RIGHT TO ESCHEITS.

In chap. vi. ſect. 2. it is alledged that the Lord Archbiſhop of St Andrews, as Lord of the regalitie, and by vertue of his juriſdiction over the inhabitants within the ſame, and vaſſells thereof, hath right to the eſcheits of all perſones convict for any crimes except treaſone; yea, and to other eſcheits falling by horning and civill rebellion. For proofe of this

this many documents might be adduced; but I ſhall content myſelfe at preſent with this notable one.—Archbiſhop John Hamilton, in the year 1565, intented a proceſs declaratorie of his right in this point before the Lords of Councill and Seſſion, againſt Mr Robert Richardſone, theſaurer to the then king and queen (King Hary and Queen Mary), and againſt Mr John Spence and Robert Crichton, their Majeſties advocates, mentioning, "that the archbiſhop purſewer, and his predeceſſors, by vertue of their infeftments had been in continuall poſſeſſion and uſe of uplifting and diſponing the eſcheit goods of all perſones having lands holden of the ſee within the ſame, after they were lawfullie denuncit rebells, and put to the horne; and that her Majeſty's theſaurer, and her predeceſſors, nor nane others pretended right thereto, nor in tymes bygane made any impediment to the archbiſhops of this ſee, nor their donators therein at any time before; and that then Andrew Earle of Rothes, George Lermonth of Balcolmie, Mr James Halyburton provoſt of Dundie, and David Monnypennie fiar of Pitmillie, being denuncit rebells, and holding lands of the ſee of St Andrews within the regalitie thereof, their goods being thereupon ſhould pertain to his Lordſhip the perſeware as eſcheit, and ought and ſhould be diſponed upon by the archbiſhop, according to his right. Nevertheleſs, the ſaid Mr Robert Richardſone, theſaurer, had obtained letters direct to the king's officers, who, by vertue thereof, had arreſted, and intended to intromitt with the ſaids rebells their goods, upon their lands within the ſaid regalitie, and holden of the ſaid Archbiſhop, notwithſtanding of his Lordſhip's right thereto, excluſive of our ſoveraine Lord's right, and whereof our preſent ſoveranes, nor their predeceſſors heretofore, were never in poſſeſſion."

This cauſe being called before the Lords, and the theſaurer and the king and queen's advocate compearing, the ſaids Lords, by their decreet,

" decerned the ſaids rebells their goods, geir, rowmes and ſteedings, " within the archbiſhop's regalitie, to pertain to the archbiſhop by rea- " ſon of the eſcheit, by vertue of his Lordſhip's and his predeceſſors " rights and infeftments; and that therefore it was lawfull to the arch- " biſhop and his factors to intromitt with, and diſpone upon the ſaids " rebells their goods, geir, rowmes and ſteedings, within his regalitie, " at his pleaſure."—In the decreet the theſaurer and the queen's advo- cates are compeiring for their intereſt; and the decreet bears, to be paſſed upon probation led and deducit in behalfe of the archbiſhop purſewer. It is dated 15 December 1565. The copy that I have cloſes thus: " Ex- " tractum de libris actorum per Magiſtrum Jacobum Macgill de Ran- " keillor Nether, clericum rotulorum regiſtri et concilii S. D. N. regis, " et reginae, ſub ejus ſigno et ſubſcriptione manualibus."[2]

It is a ſtrong preſumption of the pregnancie of the archbiſhop's rights to eſcheits, that being under a cloud at the time of this proceſs, having been impriſoned in Edinburgh ſome two years before for hearing and ſaying of maſs, deprived of his rights and juriſdictions, whereto he was not reſtored and reponed till the year after this decreit, viz. 1566, and that a forfaulture had been led againſt him in parliament before; alſo compeirance being made for the theſaurer and the advocates, that yet the decreet paſſed in his favours.

And to prove that this priviledge is not gone into deſuetude, the late Archbiſhop of St Andrews, Dr Sharp, in anno 1665, gifted the eſcheit of John Scot, younger, tenant in Balrymonth, fallen into his Lordſhip's hands by reaſon of Scot's adulterie; and, in anno 167-, his Lordſhip gifted the eſcheit of Alexander Hamilton of Kinkell; firſt to the Laird of Kinnaldy, and after gave a ſecond gift thereof to Mr Robert Cleland, upon Kinkell his being denunced and put to the horne for civill cauſes (i. e. for debt); upon which followed declarators before the Lords.

CHAPTER

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER VII.

OF THE ARCHBISHOP'S JURISDICTION AND SUPERIORITIE.

SECTION I.

OF THE JURISDICTION.

CONCERNING the ample priviledges and juriſdiction conferred on this ſee, and the prelates thereof, I find in ane old regiſter of the citie of St Andrews, which by act of parliament 1612 is ordained to be authentick, what follows. " In regiſtro monaſterii St Andrews, in princi-
" pio libri, folio quinto ejuſdem, continentur ſubſcriptae clauſulae, ve-
" raciter extractae per Joannem Motto notarium publicum [civitatis
" Sti Andreae clericum] de quodam tractatu habito et terminato, ſuper
" quadam controverſia mota et deciſa penes juriſpoſſeſſionem et juriſ-
" dictionem

" dictionem ac regalitatem epiſcopatus Sti Andreae. Qui quidem trac-
" tatus et deciſio extat de data, Anno Domini 1309, ſub his verbis, viz.
" Et inventum eſt, et ſolempniter in communi publicatum, quod in-
" fra curſum Apri non ſunt niſi tres baroniae, viz. Baronia domini epiſ-
" copi Sti Andreae, Baronia domini prioris Sti Andreae, et Baronia kale-
" daiorum, quae quidem baroniae cum inhabitantibus, immediate ſub-
" jectae ſunt Epiſcopo St Andrews, et eccleſiae ſuae et nulli alii; unde
" ratione dictae ſubjectionis, praedictae baroniae, tam de jure, quam de
" conſuetudine approbata, tenentur facere ſectam curiae domini epiſ-
" copi, et ibidem tam de vicenetis (i. e. vicinis, ſeu juxta habitantibus)
" dictamentis intereſſe, quam ad alia judicia de condempnatis facienda.
" Item: inventum eſt, quod ſi aliquod judicium infra curiam domini
" praepoſiti kaledaiorum, ſeu alicujus baroniae infra curſum apri, ſit
" per aliquem falſatum, ad curiam domini epiſcopi eſt appellandum, et
" ibi dictum judicium eſt determinandum, et declarandum.
" Item: inventum eſt, quod ſi aliquis inhabitans per dictas baronias
" captus ſit extra curſum apri, ſive per ballivos domini regis, ſive per
" alios, liberetur, diſrationaturus * et revocaturus eſt tantum per juſti-
" tiarium domini epiſcopi, vel miniſtros ejus, ad regalitatem Sti Andreae,
" et non per aliquem balivum praedictarum baroniarum.
" Praeterea inventum eſt, ac ſolempniter dicto die publicatum quod
" dominus epiſcopus, ſive ejus juſtitiarius habere poteſtatem cognoſcen-
" di de omnibus querelis ad coronam domini regis pertinentibus, et
" membris infra curſum apri; et quod majus eſt, ex plenitudine regiae
" poteſtatis infra dictum curſum apri poſt judicium datum, vitam et
" membra condempnatis dari poteſt dominus epiſcopus Sancti Andreae.
" Ita

* Diſrationem eſt contrariam ratiocinando afferere, vel quod aſſertum eſt ratiocinando deſtruere. A [dis] quod in compoſitione contrarium ſaepe notat, et ratiocinare.

" Ita eſt ut ſupra, veraciter extractum per me Joannem Motto, nota-
" rium publicum, manu mea."

[The foreſaid extract is ſo notable a document of the Archbiſhop of St Andrews his juriſdiction, ſo clear and well adminiculate and proven (the regiſter out of which the ſame is taken being ratified in parliament anno 1612), that I ſhall not inſiſt any more upon it; only, becauſe it mentions the Curſus Apri, I ſhall labour to make appear what is meant thereby.]

The Curſus Apri, i. e. the Bear's Race, or the Boar's Chace, is hard to be defined and bounded now; but, conſidering the lands holden of the archbiſhop, of the pryor, and of the provoſt of Kirkheugh, in and about St Andrews, which, no doubt, at this time comprehended the lands and baronie of the Keledai, [or Culdei, whereof there had been a notable colledge at St Andrews, which, about the beginning of the twelfth centurie, changed its name to that of the colledge or convent of Kirkheugh,] it would ſeeme that the Curſus Apri comprehends all the lands from Pitmillie incluſive, to the new miln of Dairſy; that is, from eaſt to weſt about 8 miles in length, and in breadth 2, 3, 4, 5 miles at ſome places, excepting ſome few lands holden of the king. [So the Curſus Apri contains all the lands within the bounds above deſigned, excepting two little rowmes that hold of the king, and are not worth above 1000 merks by year, to wit, Cairnes and Cameron; and other two, Stratyrum and Wilkiſtoun, which hold of the Archdeane of St Andrews, both worth about L. 120 ſterline per annum: and all the reſt of the lands within that bounds, beſides theſe, do not hold of the Archbiſhop of St Andrews, qua talis, but by virtue of the annexation of the provoſtrie of Kirkheugh to the archbiſhoprick in anno 1606, and of the mortification of the priorie thereto in anno 1635 (for all theſe lands lie in the regalitie of St Andrews, and in the parioches of St Andrews, St Leonard's, Dairſy, Kem-

back, Ceres, Cameron, Dinnino, and a pairt thereof in the parioch of Craill, before the erection of the parioch of Kingſbarnes), and the valuation of all theſe lands will conſiderablie exceed 40,000 punds per annum.

It is true that albeit all theſe lands aforeſaid hold of the archbiſhop, yet the tythes of the parioches of Dinnino and Kemback belong to St Salvator's colledge in St Andrews, and other tythes of ſome other of the lands belong to the New Colledge, by a gift of Queen Mary, before the annexation of the provoſtrie of Kirkheugh to the archbiſhoprick; and ſome lands and tythes belong alſo to St Leonard's colledge, as Kenlowie, Fawſide, Rhadhelpie, &c. This was the ancient Curſus Apri, albeit of late the denomination be much reſtricted, and appropriate by the common people only to the aikers about the town of St Andrews, called the pryor aikers, in number 480, the rent whereof yearlie will be about 100 chalders of bear, all lying upon the weſt and ſouth of St Andrews, and was of old compted the pryor and chanons their glebe, and thought to have been laboured by themſelves from the barnes and garners built by them within the monaſterie.]

This tract of ground was given to the ſee of St Andrews by King Alexander the firſt, about the year 1124, ſays Spotſwood, p. 34, that was near the time of the erection of the priorie; and H. Boeth, fol. 272, confirms it in theſe words: "Auxit (Alexander) quoque facultates "ſacrae aedis D. Andreae, cum aliis quibuſdam praediis, tum eo agro "cui nomen eſt Apri Curſus, ab apro immenſi magnitudinis, qui, edi-"ta hominum et pecorum ingenti ſtrage, ſaepe nequicquam a venato-"ribus, magno ipſorum periculo, petitus; tandem ab armata multitu-"dine invaſus, per hunc agrum profugiens, confoſſus eſt." He farther adds, "extant immanis hujus bellua indicia, dentes, quos maxillis ex-"ſertos habent, admirandae magnitudinis, longitudinis enim ſunt 16 "digitorum, et latitudinis 4, relegati catenulis ad cellas Divi Andreae."

And

And for a farther notable proofe of the archbiſhop his great and ſingular power, I have a letter of remiſſion, granted by one of the archbiſhops to John Martine, [which is as follows: "We Patrick, by the mercie of God, "Archbiſhop of St Andrews, Lord of the regalitie thereof, for diverſe "and ſundrie reaſonable cauſes and conſiderations moving us thereto, "have remitted, diſcharged, and frielie forgiven our lovett John Martine, "citiner of our city of St Andrews, and by the tenor hereof, remits, "diſcharges, and friely forgives him in our ſovereign Lord's name and "authoritie, and ours, for the tranſporting and carrying away by him-"ſelfe, or others in his name, furth of this realme, at ſundrie times, "tallow, molten taucht, or other forbidden goods, geir, or merchandize, "conterar to the tenor of the acts of parliament, laws and conſtitu-"tions of this realme; and alſo for all others crimes or faults done, "committed, aſſiſtet to, or fortifeit by him in any time bygane, albeit "the ſame were greater nor the ſaid ſpeciall crime and fault above ex-"preſſed, anent the quhilk we diſpenſe with him, and grants him full, "free, and plein remiſſion for the ſame; and that he ſhall never be "atteicht, called, adjournet, ſummond, nor accuſit therefore, nor yet "troublit nor moleſted for the ſamine in his perſone, goods nor "geir, any manner of way, but to be as frie thereof as if the ſamine "had never been committed by him; and thir letters of remitt to be "extended in maiſt ample forme ſo oft as need be is."—It is ſubſcribed by the archbiſhop, and has a pairt of his ſeall yet to be ſeen upon it.]

SECTION

SECTION II.

OF THE CHARTER CALLED THE GOLDEN CHARTER OF THE SEE OF ST ANDREWS.

THAT we may at one view ſee many of the conſiderable honours, priviledges, and ſuperiorities of the Archbiſhop of St Andrews, and the bountie and munificence of our kings to this ſee, [I ſhall here inſert a document which I have ſeen, bearing this note following.—" Upon the " fourth of October 1479, the king and eſtaites of parliament confirm- " ed, ratified, and approved all gifts, donations, grants, priviledges and " freedoms, granted and given, of all lands, kirks, priviledges and free- " doms, before by the king (James the third) his predeceſſors, or " any of them, at any time bygane to the ſee of St Andrews, to Wil- " liam (Shevez) Archbiſhop of St Andrews, and ratified, approved, and " confirmed all unions and annexations made of any benefice by the " Pope to the ſaid ſee, in favours of the ſaid ſee; and ordaines letters " under the Great Seall to be given thereupon, to the ſaid William and " his ſucceſſors, in due form of chancellarie."—The act bears, that incontinent thereafter, Archdeane Walter Davidſon prior of Pittenweyme proteſted, that the ſaid gift and union ſhould not prejudge him, or any other beneficed perſone, to the quhilk the ſaid William Archbiſhop of St Andrews agreed.]

I ſhall give an accompt of a charter granted thereto, commonly called the Golden Charter of the ſee of St Andrews; and, becauſe it contains ample priviledges, with ſome expreſſions that are eaſilie miſtaken, and not well underſtood by a ſhort narrative thereof, I ſhall therefore inſert it verbatim, except the lands which it contains, alſo to be inſerted afterwards. It is a famous evident.

" Jacobus

" (1) Jacobus, Dei gratia, Rex Scotorum, omnibus probis hominibus ſuis totius terrae ſuae clericis et laicis ſalutem: Sciatis nos quandam cartam quondam progenitoris noſtri, cujus animae propitietur Deus, ſub ſuo magno ſigillo, eccleſiae Sti Andreae et prelatis ejuſdem, ex aviſamento, conſenſu, et deliberatione trium ſtatuum regni noſtri, tempore quondam (2) avunculi noſtri reverendi patris Jacobi Kennedy, Epiſcopi Sti Andreae, factam ſuper confirmatione omnium terrarum et donationum prius conceſſarum per noſtros predeceſſores eccleſiae et epiſcopis Sti Andreae, et ſpecialiter de terris, redditibus, poſſeſſionibus, libertatibus et privilegiis infra ſcriptis, de mandato noſtro viſam, lectam, inſpectam, et delegenter examinatam, ſanam, integram, non raſam, non cancellatam, nec in aliqua ſui parte ſuſpectam, ad plenam intellexiſſe ſub hac forma: (3) Jacobus, Dei gratia, Rex Scotorum, omnibus probis hominibus totius terrae ſuae clericis et laicis ſalutem: Sciatis nos, in Dei laudem, et gloriam beatiſſimae genetricis ejus, honoremque omnium ſanctorum et precipui Beati Andreae, (4) Apoſtolorum principis germani, regni noſtri patroni, exaltationem, et ſolatium eccleſiae Sti Andreae, et prelatorum ejus, epiſcoporum ſolamen et ſubſidium ſingulare, ac divini cultus augmentum, ob proſperam, et divina favente clementia, felicem jucundamque nobis et utriuſque regni noſtri ſexus incolis, (5) primogeniti noſtri nativitatem infra ejuſdem patroni noſtri locum et meſſuagium principale, favente altiſſimo ad futuram et linealem regiae noſtrae mageſtatis ſucceſſionem continuandam, proinde contigit et ad gratioſos pervenit progreſſus in mundum: Et ob gratuita (6) obſequia per reverendum in Chriſti patrem Jacobum Kennedy Epiſcopum Sti Andreae conſobrinum noſtrum chariſſimum nobis multipliciter impenſa, cum aviſamento et plena et matura deliberatione trium regni noſtri ſtatuum, (7) ratificaſſe, approbaſſe, et pro nobis, haeredibus noſtris et ſucceſſoribus, pro perpetuo confirmaſſe omnes et ſingulas donationes et conceſſiones

per noſtros predeceſſores in antea factas eccleſiae Sti Andreae et epiſcopis ejuſdem eccleſiae pro perpetuo, de et ſuper terris infra ſcriptis, alias per noſtros predeceſſores in meram liberam et ſpecialem (8) regalitatem ſeu regaliam dictis eccleſiae et epiſcopis datis et conceſſis, viz. (follows ane enumeration of lands, which ſee, ſection iv.) Inſuper (9) conceſſimus, ac praeſentis cartae noſtrae tenore, concedimus dicto reverendo in Chriſti patri et ſuis ſucceſſoribus epiſcopis Sti Andreae, ut ipſi perpetuis futuris temporibus habeant, teneant, et poſſideant terras ſuas infra ſcriptas, in meram et ſpecialem regalitatem ſeu regaliam, viz. terras vocatas Biſhopſhyre, *Muckhartſhyre*, *Scotſcraig*, et lie Ferrie, Pitcunthie, *Muirfield*, ac terras de prioratu de Pittenweyme, viz. Pittenweyme, Little Anſtruther, Fawſide, Lingow, Peittotir, Grange-briggs, Grangemuir, jacentes infra vicecomitatum de Fife; ac terras de Eaſter Rynd et Weſter Rynd, jacentes infra vicecomitatum de Perth, quas terras praedictas praedictae regalitati Sti Andreae annectimus, incorporamus, et unimus, pro perpetuo, tenore praeſentis cartae, tenendas et habendas omnes et ſingulas terras ſupradictas, cum pertinentibus dicto reverendo in Chriſto patri Jacobo, epiſcopo Sti Andreae, et ſuis ſucceſſoribus Sti Andreae epiſcopis, in unam meram et ſpecialem regalitatem ſeu regaliam, regalitatem Sti Andreae nuncupandum, cum (10) quatuor punctis et querelis ad noſtram coronam regiam ſpectantibus, de nobis haeredibus et ſucceſſoribus noſtris in feodo et haereditate in perpetuum per omnes (11) rectas metas ſuas antiquas et diviſas, prout jacent in longitudine et latitudine, in boſtis, planis, moris, mareſiis, viis, ſemitis, aquis, ſtagnis, rivulis, pratis, paſcuis et paſturis, molendinis, multuris et eorum ſequelis, aucupationibus, venationibus, piſcationibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce fabrilibus, braſinis, brueriis et geniſtis, columbis, columbariis, cum communi paſtura, cum curiis et eorum exitibus, herezeldis, bloodwittis, et mulierum merchetis, cum (12)

itineribus

itineribus juſticiariae et camerariae, ac eſhetis et exitibus, amerciamentis et proficuis earundem; libera (13) forreſta et (14) warenna, cum (15) parliamento ſolito et conſueto ac (16) monetae fabrica; (17) furca et foſſa, (18) ſok, (19) ſak, (20) thole, (21) theine, (22) infang theif, outfang theif, (23) hameſucken, (24) feodis, (25) forisfacturis, (26) wrack et (27) ware, cum tenandiis, tenandriis, et libere tenentium ſervitiis ac cum (28) omnibus et ſingulis libertatibus, commoditatibus, aſiamentis, et juſtis pertinentibus ſuis quibuſcunque, tam non nominatis quam nominatis, ad liberam regalitatem ſeu regaliam de jure ſeu conſuetudine regni noſtri ſpectantibus, ſeu quovis modo juſte ſpectare valentibus in futurum, et adeo libere, quiete, plenarie, integre, honorifice, bene, et inpace, ſicut aliqua regalitas ſeu regalia infra regnum noſtrum, per nos aut quoſcunque noſtros predeceſſores quibuſcunque retroactis temporibus, liberius, quietius, plenius, integrius, aut honoroficentius conceditur aut donatur, aut dari vel concedi poterit in futurum qualitercunque; (29) alias autem regalitates, terras quaſcunque in antea per predeceſſores noſtros dictae eccleſiae Sti Andreae datas et conceſſas, ac hujuſmodi conceſſiones et donationes, regalitates, conſuetudines, libertates et privilegia, praefatae eccleſiae aut epiſcopo ſupradicto, in omnibus et ſingulis ſuis modo, forma, punctis et articulis, approbamus, et pro nobis haeredibus et ſucceſſoribus noſtris, pro perpetuo confirmamus, et praedictas donationem, conceſſionem, approbationem, ratificationem et confirmationem volumus in omnibus et ſingulis praeſcriptis inviolabiliter obſervari, non obſtantibus quibuſcunque conceſſionibus aut literis per nos aut praedeceſſores noſtros in contrarium praeſentium literarum factis, ſeu in poſterum faciendis. (30) Inſuper volumus quod inhabitantes, tenentes, et firmarii terrarum dicti epiſcopi aut eorum bona infra aquas de Forth et Tay commorantes futuris temporibus non attachientur aut arreſtentur, ad quaecunque itinera juſticiariae et camerariae, vel ad quaſcunque curias, pro quacunque

tranſgreſſione

tranſgreſſione aut delicto, niſi tantum ad itinera et curias dicti epiſcopi; et quod tenentes et habitantes ſupra dicti a nobis et ſucceſſoribus noſtris, nec a quibuſcunque aliis noſtris officiariis, nullatenus cogantur in futurum ad perſolvendas tallias, taxationes, exactiones, vel onera, ſeu aliquod ſervitium ſeculare; ſic quod tenentes et inhabitantes dictarum terrarum liberi ſint in perpetuum a quibuſcunque oneribus, auxiliis, (31) preſiis, (32) tallagiis, taxationibus, et contributionibus per nos haeredes noſtros et ſucceſſores de caetero imponendis. (33) Et volumus quod praeſentes noſtrae donationes, conceſſiones, approbationes, ratificationes et confirmationes per nos haeredes et ſucceſſores noſtros non revocentur, aut aliquo modo in futurum impugnabuntur, ſed potius per nos haeredes et ſucceſſores noſtros fortificentur, roborentur, et defendantur, praefato epiſcopo Sti Andreae, et ſuis ſucceſſoribus (34) nihil aliud facientibus pro regalitate praedicta niſi tantum pro nobis noſtriſque praedeceſſoribus et ſucceſſoribus orationum ſuffragia devotarum. (35) In cujus rei teſtimonium, praeſenti cartae noſtrae magnum ſigillum noſtrum apponi praecipimus. Teſtibus reverendis in Chriſto patribus, Willielmo, Joanne, Roberto, et Georgio, Glaſguenſis, Moravienſis, Dumblanenſis, et Leſmorenſis eccleſiarum, epiſcopis; venerabilibus in Chriſto patribus, Willielmo priore Sti Andreae, Archibaldo Stae Crucis, Richardo de Dumferling monaſteriorum abbatibus; clariſſimo conſanguineo noſtro Georgio Comite Anguſiae, Willielmo Domino Creichton, noſtro cancellario et conſanguineo praedilecto; dilectis conſanguinis noſtris Joanne Domino de Lorne, Willielmo Domino de Hay, conſtabulario regni noſtri Patricio Domino de Grahame, Duncano Domino de Campbell, Alexandro Domino Montgomery, Willielmo Domino de Sommervaill, Georgio Domino Seton, Georgio Domino Leſlie, Joanni Domino de Lyndſay de Byres, Andrea Domino de Gray Magiſtro Hoſpitii noſtri; Magiſtris Joanne Arons Archidiacono Glaſguenſi, et Georgio Shoriſwood rectore de Cul-

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ter, clerico noſtro. Apud Edinburgum 14 die Menſis Junii, A. D. 1452, et regni noſtri 16to. (36) Quam quidem cartam progenitoris noſtri, in omnibus ſuis punctis et articulis, conditionibus et modis, libertatibus et privilegiis, ac circumſtantiis ſuis quibuſcunque, forma pariter et effectu in omnibus, et per omnia, ut in eadem continentur, nos ex aviſamento et conſenſu trium regni noſtri ſtatuum in noſtro parliamento tento apud Edinburgh, et inchoato 4to die menſis Octobris, A. D. 1479, in honorem Dei omnipotentis, ac Apoſtoli Sti Andreae, patroni regni noſtri, et pro ſingulari devotione quam habemus erga eundem noſtrum patronum, nec non pro ſingulari favore, zelo, et dilectione, quos gerimus erga reverendiſſimum in Chriſto patrem, Willielmum (37) Shevez, archiepiſcopum ſedis metropolitanae Sti Andreae, noſtrum conciliarium intime dilectum, propter ſua merita ſervitia gratuita atque fidelia nobis noſtra tenera in aetate et longo tempore impenſa, ratificavimus, approbavimus, et pro nobis et ſucceſſoribus noſtris in perpetuum confirmavimus, et mortificavimus ſeptimo die dicti menſis Octobris, in ſede ejuſdem parliamenti, ac per preſentes ratificamus, approbamus, confirmamus, et mortificamus dicto reverendiſſimo in Chriſto Willielmo Shevez et ſuis ſucceſſoribus archiepiſcopis eccleſiae metropolitanae Sti Andreae. (38) Ac inſuper, ex aviſamento et conſenſu trium ſtatuum regni noſtri praedictorum pro cauſis ſuperius expreſſis, ratificavimus, approbavimus, mortificavimus, et confirmavimus, tenoreque preſentium ratificamus, &c. dicto reverendiſſimo in Chriſto patri, Willielmo archiepiſcopo, et ſuis ſucceſſoribus, et eccleſiae metropolitanae Sti Andreae perpetuo, omnia alia et ſingula privilegia, et omnes libertates, cartas, donationes, mortificationes, et infeodationes factas et donatas per quoſcunque noſtros praedeceſſores, quibucunque praedeceſſoribus ejuſdem archiepiſcopi, omnibus temporibus retroactis. Reſervatis nobis et ſucceſſoribus noſtris dicti archiepiſcopi ſedis et eccleſiae metropolitanae Sti Andreae et ſucceſſorum ſuorum ora-

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tionum ſuffragiis devotarum tantum. (39) In cujus rei teſtimonium preſenti cartae noſtrae confirmationis et mortificationis magnum ſigillum noſtrum apponi praecipimus: Et in evidentius teſtimonium praemiſſorum, ſigilla diverſorum reverendorum ac venerabilium in Chriſto patrum epiſcoporum, abbatum et priorum, ac conſanguineorum noſtrorum comitum, baronum, libere tenentium, procerum, et burgorum commiſſionariorum regni noſtri in dicto parliamento congregatorum, in ſignum conſenſus dictorum trium ſtatuum, ſunt appenſa, apud Edinburgh, 9no die menſis Julii, An. Dom. 1480, et regni noſtri 20mo."

In the reigne of Queene Mary there was an extract of thir two charters original and of confirmation in theſe words: "Maria Dei gratia regina Scotorum, omnibus probis hominibus totius terrae ſui, clericis et laicis ſalutem: Sciatis nos ex deliberatione dominorum concilii, quandam cartam confirmationis factam per quondam nobiliſſimum progenitorem, Jacobum III. Scotorum regem, eccleſiae Sti Andreae et illius praelatis, ſuper confirmatione omnium terrarum et donationum per noſtros praedeceſſores eccleſiae et epiſcopis Sti Andreae, prius conceſſarum, et ſpecialiter terrarum, annuorum reddituum, poſſeſſionum, libertatum, et privilegiorum in ipſa carta deſuper confecta contentarum, de noſtro regiſtro, de mandato dictorum dominorum noſtri concilii, extractum, cujus tenor ſequitur ſub hac forma, Jacobus," &c. And then follows both the original charter and charter of confirmation above infert verbatim; and the extract concludes thus: "In cujus rei teſtimonium huic preſenti cartae noſtrae magnum ſigillum noſtrum apponi fecimus, teſtibus reverendo in Chriſto patre, Joanne archiepiſcopo Sti Andreae, theſaurario noſtro, delectis noſtris conſanguineis, Georgio Comte de Huntlie et Moraviae; Domino Gordon et Badenach; Cancellario noſtro Archibaldo, Comite Argadiae; Domino Campbell et Lorne; ac venerabili in Chriſto patre, Georgio Commendatore monaſterii noſtri de Dumferling,

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noſtri ſecreti ſigilli cuſtode; dilectis noſtris familiaribus, Magiſtris Thoma Marjoribanks de Ratho, noſtrorum rotulorum regiſtri et concilii clerico; Joanne Ballenden de Auchmuthy noſtrae juſticiariae clerico; et Alexandro Livingſton de Dunipace, nõſtrae cancellariae directore. Apud Edinburgh 12 Junii 1553, et regni ſtoſtri 11."

Which extract, containing both the ſaids charters, the magiſtrates of St Andrews (to wit, Patrick Lermonth of Dairſy, proveiſt, and David Rutherford and David Carſtairs, baillies), in a fenced court of the ſaid burgh, holden within the Tolbooth thereof, upon July 21, 1556, ordained to be regiſtrate in theſe words: "The quhilk day the ſaid proveiſt and "baillies decerned this charter, underwritten, to be regiſtrate in this "regiſter book (viz. their great regiſter, called the Black Book of St "Andrews), and the ſamine to have faith as the principall, and in all "time coming, and thereto interponed their authoritie judiciall."

SECTION III.

SOME NOTES ON THE FORMER CHARTER.

As this charter contains ample priviledges, and ſome expreſſions that are not eaſilie underſtood, but apt to be miſtaken, I ſhall therefore here offer humbly ſome annotations on the ſame, for clearing thereof.

(1) Jacobus,] This is King James the third, who began to reigne anno 1460, and reigned till 1489.

(2) Avunculi noſtri Jac. Kennedi,] This Ja. Kennedy is called by all our writers, and Fordun, in Scoti Chron. lib. vi. cap. 48, ſiſter's ſon to King James the firſt. His mother was Mary Stewart, Counteſs of Angus, King Robert the third his daughter. His father was James Kennedy,

nedy, ſon to Sir Gilbert Kennedy of Dunmure, in Carrick, [predeceſſors to the Earle of Caſſilis.] Buchanan, in the Life of King James the ſecond, calls him "filius amitae regis;" and in the charter granted by the ſame King James the ſecond, which this charter confirms, he calls him "conſobrinum noſtrum," our couſine germane; ſo that this biſhop being ſone to King James the third his grand aunt, I underſtand not this grammaticiſm, that he calls the biſhop his uncle; and yet four copies of the charter, now by me, agree in this deſignation, as they do throughout the wholl charter. Hottoman in commentario verborum juris makes the word homonymous. Vide et conſule.

(3) Jacobus,] This is James the ſecond, who began to reigne 1437, and reigned till 1460.

(4) Beati Andreae apoſtolorum principis germani,] Subaude fratris (apoſtolorum principis, i. e. Petri). St Andrew had been firſt the Pight's patrone, and, upon their extermination, the Scots aſſumed him for theirs from the dayes of King Kenneth the ſecond. Vid. ſup. chap. iii. ſect. 2. [Nota, that germanus ſignifies a brother in the common uſe and acceptation of the word.]

(5) Primogeniti nativitatem] Then King James the third was borne in the caſtle of St Andrews, which of a long time before had been the Biſhop of St Andrews his manſe, even ſince the time of Roger, biſhop there, who built the ſame. See chap. xi. ſect. 2. The prelates of this ſee of old had theſe other houſes: at Stow, Linlithgow, Kinghorne, and Monymeall, which frequently in charters are deſigned palatia noſtra, [being fair and great edifices for the times; beſides theſe following (it may be not ſo conſiderable as the former), Torrie, Dairſy, Inchmortack, Muckhart, Kettins, Linton, Monymuſk, and Stow in Tweddale; which laſt eight, and Monymeall, were all built by Biſhop William Lamberton, near the beginning of the fourteenth centurie. See chap. xi. ſect. 2.]

(6) Ob

(6) Ob gratuita obſequia,] What ſervices Biſhop Kennedy had done to the crowne and kingdome, at, and before the granting of this charter, vide all our authors, et ſummatim infra, chap. xi. ſect. 2.

(7) Ratificaſſe, &c.] A ratification of all gifts and grants made formerlie to the biſhops or ſee of St Andrews, of all the lands therein expreſſed.

(8) Regalitatem, &c.] Vox regalia hic in ſingulari eſt adjectivum ſubſtantivatum. Theſe are here voces ſynonimae idem ſignificantes; at regalia, adjective et in plurali (ſic fere ſemper), dicuntur omnia jura ad fiſcum ſpectantia; [and yet ſome make a difference betwixt the words, making regalia to be ſuch priviledges as immediatelie belong to the crowne, and do not originallie belong to, nor can be communicate to any elſe, as to coine money, open gold and ſilver mines, &c. But regalities are feus granted by kings to ſubjects, with as large a juriſdiction as the ſhreifes in civills, or the juſtices in criminalls; except, 1o. In the caſe of treaſone, whether it be perduellion or ſtatutorie treaſon, whereunto the juſtices are only judges. 2o. No baillie of regalitie can repledge from juſtice airs; and yet he may ſit with the juſtices if he hath prevented the juſtice generall in firſt citing or apprehending the criminall: but this is underſtood of laick regalities, who have right of repledging in caſe of prevention, and not of eccleſiaſtick regalities, ſuch as this we are now upon is, who, notwithſtanding, retain the right to the eſcheits of the condemned perſones. See chap. vi. ſect. 2.] As to a regalitie and the Lord thereof, vide chap. vi. ſect. 2. This regalitie, and the juriſdiction belonging thereto, was not new granted; for in Biſhop Wardlaw's mortification of the Univerſitie, mention is made of the biſhop's regalitie; alſo the extract furth of the regiſter of the monaſterie of St Andrews (narrated chap. vii. ſect. 1.), evinces the biſhop of this ſee to have had the priviledge of regalitie ane hundred years before Wardlaw's mortifi-

cation, vide chap. vi. ſect. 5. and the regalitie here expreſſed is only meant of the biſhop's regalitie benorth Forth, as I conjecture.

(9) Conceſſimus,] The power of regalitie is here extended to ſome other lands, as Biſhopſhyre, Scotſcraig, and the priorie of Pittenweyme, which, as it would appear, it did not before.

(10) Cum quatuor punctis, &c.] This is a very hard clauſe, and ill to be underſtood. Some think, that hereby power and facultie is given to the biſhops of St Andrews and their deputies, to judge of the four pleas of the crown, viz. murder, rape, robberie, and wilfull fire, the puniſhment whereof only belongs to the king and to his juſtice court, and to no other ſubject, ſpirituall or temporall, except the ſame be ſpeciallie granted to them by the king; and ſo that by this phraſe the archbiſhop and his baillies can alſo judge therein. Others conjecture, that by the four puncta et querelae ad coronam ſpectantes, are theſe four all mentioned at length, and added exegeticallie to the phraſe. 1o. Itinera juſticiariae et camerariae, juſtice and chamberlaine airs or eirs. 2o. Libera forreſta et warrenna. 3o. Parliamentum. 4o. Monetae fabrica; all which belong to the crowne, and to no ſubject, but by ſpeciall favour and commiſſion, as here: and we know of none others in the kingdome who are endowed with theſe priviledges, except where eccleſiaſticall regalities have been granted; yet by a charter granted by King Robert the firſt to Tho. Randolph Earle of Murray his nephew, the earldome of Murray is diſponed in free regalitie, cum quatuor querelis ad coronam ſpectantibus, being fallen in the hands of King Alexander the third. I incline to this conjecture. 1o. Becauſe they are all here named and immediatelie ſubjoined. 2o. Moſt of the other priviledges in the charter are commonlie granted to others, the king's barons; but theſe four are held by all the inter regalia.

(11) Per omnes rectas metas, &c.] For a particular explication of theſe terms, commonlie uſed in charters, vide Skeen and Craig, &c.

(12) Itineribus

(12) Itineribus juſticiariae et camerariae, &c.] With juſtice and chamberlane airs courts and circuits. Iter ab itinerando. The exitus of them are the profeits, fines, mulcts, amerciaments, and eſcheits redounding thereby. That the ſee hath been in poſſeſſion of this their right to hold juſtice airs, is clear from Biſhop Hamilton's charter of the offices heritablie to Patrick Lermonth, which expreſsly cautions againſt the proclaiming of juſtice airs and courts without the conſent of the archbiſhop and his ſucceſſors. See chap. vi. ſect. 6.

(13) Libera forreſta,] Foreſta is a large wood, without a dyke or encloſure, having no water, including wild beaſts. One infeft in free foreſt has power to hunt, haulk, and cut trees, which none can uſe without licence and gift from the king.

(14) Warenna,] Eſt privilegium ex conceſſione regis, vel preſcriptione, praedandi et venandi feras et volucres ad warennam pertinentes, in ſuis terris cum interdictione aliorum.—Warenna is a place dyked or encloſed for beaſts; and the infeodare in liberam warennam is like infeodare in libera forreſta.

(15) Cum Parliamento, &c.] Parliamentum a gallico, parler, loqui; et parliamentum proprie eſt ſolemne colloquium omnium ordinum regni, auctoritate ſolius regis, ad conſulendum et ſtatuendum de regni negotiis, indictum. But the word hath other ſignifications, and hath been uſed ſometimes to expreſs the conſultations of a communitie; ſo the monks and convent of Croyland in England, in the reigne of King William the ſecond in the time of Ingulphus their abbot, called their conſultations anent the affairs of their monaſterie, noſtrum publicum parliamentum. Spelman.

Were it not for this citation, it would be hard to explain this article of the golden charter; yea, and to accommodate it to the preſent purpoſe is abundantlie difficult. I humblie offer this conjecture under correction,

rection, that of old the moſt reverend prelates of this venerable ſee have had a priviledge from our kings, to convene in councill their clergie, or ſuch of them as they ſhould call, beſide their chapter, and their vaſſells alſo, or ſuch of them as they pleaſed, ſeverallie or joined together, for conſulting upon the affairs of the dioceſe; and for making acts and orders for conſerving the peace among the laicks within the diſtrict, whom they may call and ſummond by their own authoritie to paſs upon aſſizes, make weapon-ſhawings, &c.—At hic nihil ſtatuo.

(16) Monetae fabrica,] A power and priviledge to coin money, indulged to the ſee, whereby the prelates, by conſtant tradition, have undoubtedlie been in poſſeſſion. Vide Ford. Scoti Chron. lib. x. cap. 39. "Eodem anno, 4to Id. Jan. Rex Alexander III. apud St Andream exiſtens, ante magnum altare, coram ſuis ſatrapis et magnatibus, dedit et conceſſit Deo, et beato Andreae percuſſionem monetae, adeo libere ſicut aliquis Epiſcopus Sti Andreae, tempore patris ſui, Alexandri II. vel alicujus predeceſſorum ſuorum liberius habere conſuevit, ſalva ſibi declaratione inquiſitionis ejuſdem ſuper infeodatione habenda." The tradition goes, that they could not coine above a groat peice; but this may be allowed to be a meer conjecture, for the Germane biſhops who coine are not ſo reſtricted and limited. For proofe that ſometimes this priviledge has been in uſe, I have ſeen copper coines bearing the ſame mond, chapletted about, and adorned with a croce on the top, juſt in all things like the mond ſet by Biſhop Kennedy in ſundrie places of St Salvator's colledge, both in ſtone and timber, and the ſame way adorned; with a common St George's croce on the reverſe. The circumſcriptions are not legible. And ſome think that the magiſtrates of St Andrews their keeping in their charter-kiſt ſome of theſe pennies, have done it in honour of their over lord, and for an inſtance and remembrance of this royall priviledge, which no ſubject in Britanne has beſide.

(17) Furca

(17) Furca et foſſa,] i. e. pit and gallows; that is a power, corporallie and capitallie, to puniſh and execute delinquents and malefactors. Viros ſuſpendio et faeminas ſubmerſione. Ergo, the archbiſhop has power of life and death in his baillies; albeit he, being a biſhop, cannot ſit as a judge upon blood, by the canons, himſelfe.

(18) Sok] Eſt ſecta de hominibus in curia domini ſecundum conſuetudinem regni. He that is infeft with ſock can hold courts within his owne lands and baronie, wherein his vaſſells ſhould give ſoyt [ſuite,] and ſend ſuiters, [ſectatores, a ſequendo,] for the vaſſell muſt follow the court wherein he is obliged to compeare, but that only ſecundum conſuetudinem regni, i. e. ſtatis diebus.

(19) Sak,] Sac eſt privilegium quod dominus habet infra manerium ſuum tenendi placita de tranſgreſſionibus et controverſiis ibidem natis; fines etiam et amerciamenta, ratione iſtorum, tenentibus ſuis imponendi, levandi, et colligendi. Dictum a Saxon ſac, i. e. cauſa, lis, certamen. Spelman. And Raſtall defines ſac, placitum et emenda de tranſgreſſionibus hominum in curia domini, aliter dicitur pro forfeit or forfault.

(20) Thole,] Thelonium, telonium, cuſtume, from τελος. He who is infeft with tole or thole, is cuſtume free; and all who have lands, nomine eleemoſynae, are cuſtume free within burgh, buying meall and cloth for their neceſſarie uſe.

(21) Theine,] Jus habendi nativos et villanos, eorumque propaginem (quam ſequelam vocant) ubicunque inventi fuerint. It comes from Than, i. e. ſervus.

(22) Infang theif, outfang theif,] Infang theif eſt jus cognoſcendi latronem captum infra manerium et juriſdictionem alicujus, jus habentis de eodem cognoſcendi. Spelman and Skeen explain infang theif to be a power perteining to him that is infeft therein to cognoſe upon theft committed by his owne men within his owne dominion and lands.

Outfang theif is a foreigne theif coming from the juriſdiction of another, and is apprehended within the juriſdiction of him who is infeft in this libertie. Vide plura in Skeen, in voce Infang theif.

(23) Hameſucken,] Dutch; from ham, a houſe; and ſucken, to ſearch and enquire; and ſignifies domus vel habitaculi privilegium et indemnitas. A man's houſe is his caſtle, legum vallata munimine, where the maſter freelie commands, lives ſecurelie, and repells injuries lawfullie: and hameſucken is the violation of thir priviledges, and invading a man in his owne houſe, the puniſhment whereof is here given to the biſhops of this ſee; and it is a ſingular one; I never ſaw it in a charter before.

(24) Feodis,] Feodum eſt vox homonyma, ſignificans ipſum praedium, jus in praedio, ſalarium, ſtipendium. By our law there are feoda militaria, i. e. lands holden ward; feoda laicalia, lands perteining to laicks and temporall men; feoda eccleſiaſtica, feus of lands perteining to the kirk and kirk men. What if feoda here ſignifies fees, rents, ſalaries, &c.

(25) Forisfacturis,] Forisfactura, crimen, delictum, injuria, capitis mulctatio, et redemptio, mulcta, amerciamentum. A fine, a mulct, ane amercement; ſic hic. Et forisfactum plenarium regis may be extended to death as plenaria juſtitia.

(26) Wrack] Signifies a priviledge competent to him who is infeft in wrack, to intromitt with, and uplift ſhip-broken goods, which is as competent to him who is infeft therein as to the king himſelfe who gives and grants the ſame.

(27) Ware,] From the French varech, Lat. alga maris, imports this priviledge, that he who is infeft therein may ſtop others within and without the ſea mark to gather and carrie away ware.

(28) Cum omnibus et ſingulis, &c.] This is exegetick, and ampliative alſo, of the priviledges of the biſhop's regalitie; i. e. that it be as large-

lie

lie and well endowed as any free regalitie within the kingdome, de jure ſeu conſuetudine, or as is or may be given hereafter to any.

(29) Alias autem regalitates, &c.] Here is a confirmation of other regalities granted to the ſee of St Andrews, and of the former gifts and grants thereof, in the haill heads of the ſame, to be inviolablie obſerved notwithſtanding of other grants or letters made, or to be made to the contrare.

(30) Inſuper volumus, &c.] Ane exemption of the vaſſells of this ſee, and men and tenants of the ſame, betwixt Forth and Tay, and of their goods, from being attached or arreſted to any juſtice or chamberlane airs, or other courts, for any crime or tranſgreſſion, but only to his Lordſhip's eirs and courts; and that they nor their ſucceſſors be not compelled to pay taxes, taxations, exactions, burdens, or other ſecular ſervice, but that in all time coming they be free of all burdens, helps, &c.

(31) Preſiis] Lege priſis; captura, captio, direptio, etiam quod capitur vel deripitur; as ane poynd, diſtreſs, or moveable goods taken for execution of ane decreet. Apud foraneos, priſae intelliguntur de anonae et rei frumentariae captionibus, et aliis neceſſariis ad alenda et inſtruenda praeſidia caſtrorum, et regiam familiam, minore quam juſto pretio Agricolis ereptis. Vide Spelman, et Statuta Davidis II. regis Scot. cap. 40, 48, and 52. cum Skenei Annotationibus in ultimum hoc caput, ubi etiam additur, ſed apud nos jamdudum eſſe deſierunt, tametſi quaedam reliquiae priſarum, de pretio vini et quarundam aliarum rerum in uſum regis emptarum, adhuc remanent. Ita Skeen.

(32) Tallagiis,] Tallagium et talliagium eſt deſcriptio eorum, qui ad pendendum tributum cenſentur. Actus talliandi vel deſcribendi eſt ipſum tributum, cenſus, taxa.

(33) Et volumus, &c.] A caution againſt the revocation of the foreſaids gifts, grants, and confirmations by his Majeſty or his ſucceſſors in time

time coming, but rather that they be fortified, ſtrengthened, and defended to the Lord Biſhop and his ſucceſſors.

(34) Nihil aliud facientibus,] The reddendo of the charter; and that is orationum ſuffragia, as there explained.

(35) In cujus rei teſtimonium,] The date and witneſſes. As to the witneſſes note their number, qualitie, and order.

(36) Quam quidem cartam, &c.] The confirmation of King James the ſecond his charter, and of the priviledges therein. From the date of the confirmation by King James the third and the parliament, it is obſervable, that it is either wrong, or elſe that of old parliaments have been holden in this kingdome, whereof there is no mention in the printed acts, nor in the tables of the unprinted acts. I hold the date juſt and certaine from many copies: and for parliaments not mentioned by the publick printed acts, conſidering the old way of holding parliaments in this kingdome, it is not ane abſurditie to ſay, or ſuſpect, that ſome are omitted; and that ſome of the printed parliaments err in the date is moſt certaine.

(37) Willielmum Shevez, &c.] Here Shevez is ſo mentioned and deſcribed as none of his predeceſſors before him. He is not only ſtyled archbiſhop (and he was the firſt that the kingdome acknowledged as ſuch, ut ſupra, chap. v. ſect. 1.), but he is alſo deſigned conciliarium noſtrum intime dilectum, and his ſervices thus expreſſed: Propter ſua merita, ſervitia gratuita atque fidelia, nobis in tenera aetate longo tempore impenſa: So that being in ſuch favour and court, it is not like that he was forced to quite this ſee, and content himſelfe with that of Murray, as ſome alledge he did; but other reaſons prove the conjecture groundleſs, quae non ſunt hujus loci.

(38) Ac inſuper, &c.] A confirmation to Shevez, archbiſhop, and the metropolitane church of St Andrews, of all and ſundrie other priviledges,

ledges, charters, liberties, gifts, mortifications, &c. made and given by any of the king's predeceſſors, to any of the ſaid archbiſhop his predeceſſors at any time bygone; reſerving to the king and his ſucceſſors, the archbiſhops and the church of St Andrews and their ſucceſſors their orationum ſuffragia devotarum tantum.

(39) In cujus rei teſtimonium,] Obſerve the king's care to ſecure and tranſmitt his confirmation with a rare and ſingular evidence of teſtimonie and ſecuritie. [But obſerve, that none of the copies I have ſeen of this confirmation by James the third, have witneſſes ſubjoined and inſert.]

SECTION IV.

THE LANDS CONTAINED IN THE GOLDEN CHARTER.

St Nicholas *	A		Kinglaſſie	A
Kinkell	A		Byrehills	A
		F F		Fawſyde

* St Nicholas.] In the enumeration of the lands in the golden charter, not only are expreſſed many lands holden of the ſee, but almoſt all which are holden of the prior and archdeacone of St Andrews, and proveiſt of Kirkheugh; yea, and ſome others alſo, now holden of the king, as Cameron and Cairnes; which laſt now holds of the Laird of Craighall; and thir ſame lands of St Nicholas, the firſt in all the numeration, doe now hold of the town of St Andrews, by Queene Mary's gift, after the aboliſhing of the fratres praedicatores, the friars of St Andrews. But as to theſe lands holden of the ſee, here ſet down, they are for the moſt pairt in Fife, and are not above the half of theſe holden of the ſee beſouth Forth and benorth Tay.

Fawſyde	
Kilmonan	A
Kenloquhy, Kenlowie	
Pulky, Puckie	A
Bonyngtoun	A
Balcaithlie	A
Dynnenoch	A
Stravuthie	A
Balalie	A
Pyttarthie	A
Kinnaldie Souther	A
Kinnaldie Norther	A
Gilmortoun	A
Balrymont Eaſter	
Langraw	
Carnegowr	
Lambeis-Letham	A
Prior's Letham	A
New Grange	
Balrymont Weſter	
Kilrinny	A
Innergellie	A
Invary, alias St Monance	A
Kilconquhare	A
Balbuthie	A
Pitcorthie	A
Muircambus	A
Aitherny	
Latham	A
Balcormo	A
Baldaſtard	
Balmaine	A
Scoonie	A
Balbeth	
Montflowrie	
Levins-Brig	A
Methil	A
Le Haugh	
Torrie	A
Crannock	A
Cavill	A
Bynns	
Urwell	A
Lathoker	A
Muirtoun	
Lathones	A
Raderny	A
Cameron	
Feddinſhe	A
Cairnes	
Ballochin, alias Baloun	
Strakinnes	
Wilkingſtoun	
Greigſtoun	
Drumcarrach	
Laddaddie	

Kilminmont

Kilminmont		Ballas	A
Balduny		Kilmanie	A
Arnydie	A	Friertoun	
Claremonth		Kirkland de Lewchars	
Magaſk Over		Forgund	
Magaſk Nether		Prior's Kinmuk	
Clattow	A	Chamer's Kinmuk	
Balgove		Monymeall	
Stratyrum		Latham	
Kincaple	A	Cunzeoquy	A
Newtoun	A	Muiretoun in Lewchars	
Nydie Eaſter	A	Colluthie	A
Nydie Weſter	A	Auchtermoonfie	A
Kinnaird	A	Barclais Cairnie	A
Kemback	A	Auchter-Other Struther	
Blebo	A	Craigrowchill	
Myretoun	A	Tarvett	A
Dairſie	A	Nether Tarvett	A
Craigfudie	A	Glaidnie	
Middlefudie	A	Kirkforthar	A
Weſterfudie	A	Balmakyne	
Kingaſk	A	Balmungie	A
Brughlie	A	Lathriſk	
Newmylne	A		

Then follows in the charter a gift and grant to hold the lands following in a mere free regalitie, viz.

Biſhopſhyre

Biſhopſhyre	A	Little Anſtruther	A
Muckhartſhyre	A	Fawſyde	
Scotſcraige	A	Lingow	
Le Ferrie	A	Pittotir, alias Pittowehir	
Pitconthie	A	Grange-Briggs	
Muirefield	A	Grange-Muire	
Item: the lands of the priorie of		Rind Eaſter	
Pittenweyme: they are to ſay,		Rind Weſter	
Pittenweyme	A		

Note 10. That in this roll above written, all the lands marked with the letter A are contained in the preſent ſuite roll of theſe lands and vaſſells of the ſee, which owe ſuite and preſence to the archbiſhop's three head courts, holden yearlie within the Tolbooth of St Andrews, upon the ſecond Tueſday of Januarie, third of Aprill, and ſecond of October reſpective, where the principall ſuitors are called before all the reſt, thus:

Lord Cowper and his ſuite.
Lord Prior and his ſuite.
Lord Mortoun and his ſuite.

[But I conceive it difficult, if not impoſſible, to aſſign the reaſon why the other lands contained in the golden charter, not marked with the letter A, are not now in the ſuite roll, and are not called at the head courts. But for ſome clearing of the doubt, let this roll be diligentlie compared with the roll of the lands contained in the charter of mortification of the priorie of St Andrews to the archbiſhop as infra, chap. x. ſect. 3.]

Note 20. The preſent ſuite roll of vaſſells and lands contains the lands following which are not in the golden charter, viz.

Pittendreich

Pittendreich	Cheſter
Philpſtoun	Ferniebreck
Kirkpotie	Kinaldie Middle
Abdenrie of Kinghorne Eaſter	Wincheſter's Pollduff
Abdenrie of Kinghorne Weſter	Donaldſone's Polduff
Pirnie	Smythie Green
Coldcoatts	Inch-murdo Park
Kinneſwood	Raderny Over
Mortoun	Kirklands of Cowpare
Pittormie	Kirklands of Seres
Blebohall	Newbigging
Boonefeild	Fiſhing at Edens-mouth
Marſhall's Haven-Fiſhing	Gibbs Land
Craig-water Fiſhing	The aikers of the Bridge
Myreſyde	The citizens of St Andrews
Snadoun	

It ſeemes verie difficult to aſſign a reaſon why thir lands, laſt enumerate, are not contained in the golden charter; and it is uncertaine when theſe firſt came to belong to the ſee, and whether that was before or after the granting of the charter; the names of the mortifiers, and the occaſion of the mortifications, being quite loſt.

Theſe lands contained in the golden charter, and in the ſuite roll above mentioned, are mainly and almoſt only the lands holden of the ſee in the ſhyre of Fife; but there are many others lands which hold of the ſee beſouth Forth, and alſo benorth Tay, which are not here ſet downe: for the archbiſhop of St Andrews is, or was certainlie the greateſt ſuperior the King of Great Britaine hath of a ſubject. And Sir John Spotſwood of Dairſie (ſon to the Moſt Reverend Archbiſhop John Spotſ-

wood, who ſat here twenty-three years), who knew the ſtate of the ſee, ſo as none better, uſed to alledge, that the Archbiſhop of St Andrews could come out of England in a morning, and with eaſy journeys travell far in Scotland, and yet everie night lodge in his owne lands, i. e. in lands holden of himſelfe; ſo that theſe lands are not a complete enumeration of all that hold of the ſee, nor is the ſuperioritie belonging thereto ſufficientlie known. I ſhall, therefore, here inſert all the lands that uſes to be taxed, as holden of the ſee beſouth of Forth and north of Tay, when publick burdens are impoſed on the kingdome by way of taxation, and whereof the Lord Archbiſhop, qua talis, is undoubted ſuperior, and that from the principall taxt roll itſelfe, as the ſame was extended and ſubſcrived anno 1630, whereof the roll of Bajamont was the ſtandart.

Nota. That the taxt roll itſelfe bears the vaſſells names, and many of them are verie honourable; for by this taxt roll, and the taxt roll made in the year 1665, it is found that his Lordſhip has of vaſſells holding lands of him, of the nobilitie of this kingdome, one marqueis, fifteen earles, three viſcounts, and five temporall lords; beſide many conſiderable barons, knights, and other worſhipfull perſones.

[ROLL OF SCOTS NOBLEMEN WHO ARE VASSELLS TO, AND HOLD LANDS OF THE ARCHBISHOP OF ST ANDREWS, AND FOR WHAT LANDS THEY ARE VASSELLS.

Lord Borthwicke for Waterſtoun, &c.
Earle of Roxburgh for Broxmouth.
Earle of Hadintoun for Tyninghame, Hombie, &c.

Earle

Earle of Wintoun for Kirkliſtoun.
Earle of Southeſk for Colluthie.
Earle of Balcares for Weſter Pitcorthie.
Lord Newark for St Monance.
Earle of Crawfoord for Cairnie, Struthers, &c.
Earle of Kincardine for Carnock and Torrie.
Earle of Melville for Letham.
Earle of Kinnoull for his pairt of Kincaple and Balquhartie.
Earle of Mortoun for Biſhopſhyre.
Earle of Middletoun for Fettercairne.
Earle of Argyle for Muckhartſhyre.
Earle of Weems for Methall, Pirnie.
Viſcount of Stormount for Pitlochrie.
Lord Rollo for the Abdenrie of Kettmiſ
Earle of Airlie for Kirktoun of Kinnell.
Viſcount of Diddop for Strickmartine.
Earle of Middletoun for Logie-Montroſe.
Earle of Northeſk for
Earle of Mariſchall for Kirktoun of Fettereſſo.
Viſcount of Arbuthnot for Kirktoun Arbuthnot.
Marqueis of Huntlie for Monymuſk.
Earle of Monteth for the Teynds of Kilpont.
Lord Cranſtoun for the Half Teynds of Cranſtoun.
Lord Kinnaird for Roſſie-Clero.]

SECTION

SECTION V.

ROLL OF THE LANDS HOLDEN OF THE ARCHBISHOP OF ST ANDREWS BESOUTH FORTH, AS TAXT IN ANNO 1630.

Bowland
Crumſyde
Carthabow
Torſons
Creuzien
Stow-mylne
Torqwhene
Ketleſlut
Langmuire
Plenpleugh
Burnehous
Crwidland
Hoppringle
Fernyherſt
Overſhiells
Crumlargie
Cheiſlie
Owletſtoun
Nether Lugate
Cockle Ferrie
Crubilaw
Stow-toun
Cathaugh
Over Lugate
Craige-end
Catpaire
Darnick's Lands
Muirehous
Corſecruick
Pirnie
Mitchelſtoun
Meikle Catpaire
Waterſtoun
Pirnietentoui
Birkſneip
Symontoun
Brokhous
Sile
Compſluck
Netherſhiells
Gilmertoun
Haltrie
Pirniecadoes
Scougall
Auldhame
Broxmouth
Leſwade
Whelpſyde

Rathobyres

Rathobyres
Tyninghame
Killeith
Livielands
Kirkliſtoun
Catlebook
Hombie
Little Preſton and the mylne

LANDS IN ANGUS AND PERTHSHIRE.

Craigie
Brodland
Inchbryock
Higham
Cookſtoun
Abdenrie of Kettins
Chaplehill
Pitlochrie
Kirktoun of Mailler
Kilſpindie
Cuthlie
Crudie
Idvie, Eaſter and Weſter
Anſterie and the mylne
Gaſk
Pitſcandlie
Kirktoun of Kynneill
Carſbank

Mylne of Roſcobie
Barneyairds
Clenqwiche
Roſewallie
Carſe
Edzell Weſter
Mergie
Duraholl
Stirckmartine
Channelie
Kirktoun of Forteviott
Airlie
Logie-Montroſe
Balmadies
Kirktoun of Aberlemno
Kinnetles

LANDS IN MERINS.

Kirktoun of Fettereſſo
Clerkingſhiells
Kirktoun of Kinneff
Fettercairne
Blackokmuire
Logy-Tary
Kirktoun of Ardbuthnot
Newdoſk
Banchrie
Kirktoun of Durres

Inveric
Clunie, alias Glaſchunie
Glaſshill
Craigtoun
Peter-Coulter
Croft of Banchrie

LANDS IN BUCHAN AND ABERDEENSHIRE.

Schwilie
Bellingowin
Arnagaſſill
Pitaquhy
Pittendreich
Brume-mylne of Kig
Toft and brewhouſe thereof
Dilab
Inzean
Little Abercaty
Glentoun
Cowllie
Auchterkig
Todlothie
Tilliqwhorrie
Edinhorne
Tulloſhiells Over
Tulloſhiells Nether
Cauldſkeane
Kirkton Hill, alias Nig
Kirktoun of Kinkell
Kirktoun of Dyce
Pitmuny
Arnedlie
Over-mylne of Monymuſk
Croft and brewſteid thereof
Carnabo
Furinglaſs
Forſyth's lands
Rinds and Pets of Monymuſk
Pitfeichies and the mylne
Bulfoxe Over
Bulfoxe Nether
The mylne thereof
Dorie
Rorundell
Ord-mylne
Ord-wood
Sandyhillock
Ord-head
Ord-haugh
Pickletillim
Kermucks
Tirniſhe
Bonnickeſſie
Caſſiegells
Cockhill
Pairt of the town of Allane
Newtoun

Newtoun of Colſtoun	Finzeanchie-mylne
Pitlyne	Meikle Abercaty
Finzeanchie	Fawlds of Frewchies

Note. The four laſt hold of the Marqueis of Huntlie, and his Lordſhip holds them of the ſee. Chap. vi. ſect. 3.

For the lands in Fife, ſee the preceding ſection.

SECTION VI.

OF THE ARCHBISHOP'S JURISDICTION AND SUPERIORITIE OVER THE CITIE OF ST ANDREWS, AND THE MUTUAL OBLIGATIONS BETWIXT THEM.

THE citie of St Andrews is a free burgh royall, endowed with all the ample priviledges belonging to ſuch, in the ſame manner that others are of the like nature in this kingdome, being erected in or about the year 1140, by the means of Robert, Biſhop of St Andrews, who, with the licence and aſſiſtance of King David the firſt, placed Maynard, a Fleming, firſt proveiſt thereof; which erection and priviledges are of old ratified and approven by King Malcolme the fourth, and by Roger and David, biſhops of St Andrews, and of late by other kings and archbiſhops, eſpeciallie by Archbiſhop Gladſtanes in anno 1614. So that the citie, magiſtrates, and inhabitants, hold theſe priviledges of the king in free burgage, by the bountie of their biſhops, and for which they pay the ſervice of burgh uſed and wont, by maintaining a common priſone for the king's priſoners, and make ane aeque yearlie in the Exchecker.

Yet

Yet ſeeing the citie lyes, and all the inhabitants dwell, within the regalitie of St Andrews, the archbiſhop is not onlie lawfull over lord to them, but ſuperior to all the lands they have holden in propertie and proper communitie within the regalitie, to all and the ſame intents and purpoſes as any other ſuperior over his vaſſells holding few of him: for by being Lord of the regalitie, the eſcheit of the inhabitants as vaſſells, either convict of crimes, or falling by civill rebellion upon horning, belong to his Lordſhip.

Alſo the inhabitants of St Andrews, and others, at their being created burgeſſes and admitted to the priviledge of the citie, with the alledgiance that they ſweare to his Majeſtie, do alſo ſweare fealtie and lawteth to the archbiſhop as lord of the regalitie and their over lord, as the old records and regiſters of the citie do uſuallie term their fidelitie.

But for a clear underſtanding of the obligations betwixt my Lord Archbiſhop and the citie and inhabitants of St Andrews, with his Lordſhip's priviledge and juriſdiction over them, it is to be adverted, that by a contract and appointment paſt betwixt George Lord Archbiſhop of St Andrews on the one pairt, and certain commiſſioners for the citie of St Andrews on the other pairt, of the date the 7 of December 1611, ratified in parliament 24 October 1612; it is agreed that his Lordſhip ſhall grant a confirmation to the proveiſt, baillies, councill, and communitie of the ſaid citie, of the haill infeftments made by him or his predeceſſors, biſhops or archbiſhops of St Andrews, to them or their predeceſſors, of their common lands and communitie; (but prejudice to his Lordſhip's ſucceſſors to ſet nets in the links for fiſhing to his Lordſhip's uſe); with the priviledge of the ſhoare, and anchorage thereof, whereof they have been in poſſeſſion; (reſerving to the archbiſhop and his ſucceſſors to be firſt ſerved at the ſhoare, and the priviledges of his Lordſhip's cuſtomer, admirall and ſearcher); with their tenements, burrow lands,

lands, &c. Water and wynd mylnes, thirle, multure, and ſucken, and of the Black and Grey Friars yairds and lands, &c. with ane de novo damus in ample forme. Item: that the ſaid archbiſhop for him and his ſucceſſors, be bound to the proveiſt, baillies, and councill, that all the old evidents inſert in the black book, granted by the kings of Scotland, or by the biſhops of St Andrews to the toun, ſhall make faith againſt the archbiſhop and his ſucceſſors, as the originalls would doe, ſome whereof are periſhed. Item: that his Lordſhip ſhall grant a confirmation of the erection of this citie in a free burgh, and be bound to erect the citie de novo, with all the priviledges of a free burgh, and the magiſtrates to be crowners within themſelves (their burrow-roods and poſſeſſions) of the inhabitants within the regalitie, with a diſpoſition of the bloodwits, ſo far as his Lordſhip may of law, and ane exemption from all ſervice to the ſtewart, paſſing upon the ſtewart's aſſiſes, keeping his wards, furniſhing executioners, but in ſo far as the common law provides, except in the ſervice of ane air to an inhabitant, and except the fact and deed be committed within the citie-burrow roods, liberties, and poſſeſſions of the ſame allenarlie: And to obtaine the king's confirmation of the haill infeftments granted by his predeceſſors in favours of the ſaid citie and inhabitants, with a gift of all priviledges and liberties of a burgh royall within the realme; and to diſcharge the inhabitants of all actions of purpruſion. And ſince the vicarage of St Andrews is annext to the archbiſhoprick, the archbiſhop is bound, upon his and his ſucceſſors expences, to furniſh a reader to the pariſh kirk, and to pay him ane honeſt ſtipend. Item: the archbiſhop gives to the proveiſt, baillies, and councill, the free election of their common clerk, who is to be bound to ſwear alledgiance to the king and the archbiſhop, over lord of the citie; with the election of the maſter of the grammar ſchoole, now perteining to the archbiſhop, in reſpect of the annexation of the

archdeaconrie of St Andrews to the archbiſhoprick thereof, his Lordſhip trying his qualifications. And the archbiſhop to be ſolemnly ſworne to the proveiſt, baillies, and councill, in name of the haill inhabitants of the citie, to mainteine and defend them, the toun, lands, liberties, and eſtate by law, at court, councill, ſeſſion, and juſtice, in all their honeſt actions and cauſes, and in ſpeciall everie particular member their actions being worthy of his Lordſhip's protection.

For the which cauſes, the proveiſt, baillies, councill, and burgeſſes to be received thereafter, and freemen, ſhall be ſworne to the archbiſhop to be true and loyall to his Majeſty and his Lordſhip, their over lord, as becomes vaſſells to their ſuperiors, conforme to the old oath, which uſed to run in theſe words: "I A. B. promitt fealtie and lawtie to our "ſovereign Lord the King's Grace, my Lord Archbiſhop of St Andrews, "Lord of the regalitie of St Andrews," &c. and are obliged to pay to the archbiſhop and his ſucceſſors the yearlie few-duties therein named for the lands therein mentioned, extending yearlie to 50 pounds. And every perſone within the city entering air to their predeceſſors to burrow lands, roods, yairds, &c. within or without the citie, to pay to my Lord Archbiſhop and his ſucceſſors, ane pennie ſterline nomine homagii; and ſtrangers entering, to pay twa pennies ſterline. Nota. The reddendo of houſes in old charters to the archbiſhop, was firmam burgalem debitam et conſuetam. Item: they are to give libertie to his Lordſhip to plant conies in the links, as his predeceſſors had libertie before. Item: they are bound to repaire the calſays of the citie, within five years, under the pain of 100 merks, to be applied to that uſe. Item: the proveiſt, baillies, and councill, ſhall preſent yearlie to the archbiſhop a lite of twa perſones with the old proveiſt; twa perſones with the old dean of Gild, who are, or have been counſellours, actuall traders, reſidenters, and who have borne office before; and eight perſones with the old baillies,

actuall

actuall traders, reſidenters preſent within the citie, who are, or have been counſellours; and twa perſones with the old theſaurer of the ſame qualitie, in lite to the ſaids haill offices, upon Tueſday forenoone, after Michaelmes yearlie, being the day of their election, that the archbiſhop may name theſe magiſtrates for the following year, upon theſe conditions, viz. 1o. In caſe the archbiſhop and his ſucceſſors be actuall reſidenters and preachers within the citie. 2o. In caſe the archbiſhoprick be annext to the crowne, or happen to be erected in a temporalitie, that then the proveiſt, baillies, and councill, ſhall have the free liteing and electing of their owne magiſtrates and theſaurer, as they were in uſe before, the contract not being derogatorie thereto. Item: the cuſtomer of the ſhoare to be ſworne to his Lordſhip, that to his knowledge no forbidden goods paſs furth of the realme; and if he knows thereof, he ſhall intimate the ſame to his Lordſhip.

The act of parliament ratifying theſe articles and this contract, bears, that the parliament declares and ordaines the foreſaids articles, infeftments thereupon, act of ratification thereof, no claus therein to be no wayes prejudiciall to the rights and infeftments made to the Lord Lindeſay his predeceſſors and authors by the archbiſhops of St Andrews, or by the king, of whatſumever lands, offices, juriſdictions, liberties, &c. therein conteined; which are by the ſaid act ratified and approven in all points, and that as effectuallie as if they were engroſſed in the ſaid act; and that by virtue thereof his Lordſhip and his ſucceſſors ſhall poſſeſs their lands, offices, &c. notwithſtanding of the foreſaid contract, infeftment thereupon, and ratification above written, which ſhall no ways be derogatorie thereto.

The archbiſhop's juriſdiction over the toun of St Andrews, and the priviledge of regalitie therein, is not of new eſtabliſhed by this contract, but it was much older (vide chap. vi. ſect. 2. ad finem); for by virtue of

of their power of chancellarie and free chaple, they directed brieves in their owne names, not only for ſerving airs, but for kenning to terces diviſion, and lynning of lands and tenements, &c. And I have beſide me a brieve, directed to the magiſtrates of St Andrews, for lynning the tenement of John Martine; the brieve begins thus: Jacobus, miſeratione Divina Sti Andreae archiepiſcopus, totius regni Scotiae primas, et apoſtolicae ſedis legatus natus, et Dux Roſſiae, &c. The cloſe of it is alſo verie obſervable, it is thus: Datum ſub ſigneto noſtro, apud Stum Andream die 15o. menſis Octobris, Anno Domini 1500. The brieve is on paper, and yet has pairt of the archbiſhop's ſignet to be ſeen in red wax on the back artificiallie done.

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER VIII.

OF OTHER HONOURS AND DIGNITIES WHEREWITH THE ARCHBISHOP AND THE SEE IS ENDOWED.

SECTION I.

OF SOME SPECIALL GIFTS, GRANTS, AND RATIFICATIONS TO THE SEE AND THE ARCHBISHOPS THEREOF.

BY the fourth act of his Majeſty King Charles the ſecond, parliament the firſt, ſeſſion third, the Archbiſhop of St Andrews is conſtitute and appointed conſtant Preſident of the nationall aſſemblie of the church of Scotland; and by his Lordſhip, maters, things, and cauſes concerning the doctrine, diſcipline, worſhip, and government, to be debated, conſulted, concluded, and determined upon (to be delivered from the

King to his Lordſhip), are to be offered to the conſideration of the aſſemblie by my Lord Archbiſhop of St Andrews. Item: it is declared, that no act, canon, or ordinance ſhall be owned as ane act of the nationall ſynode of the church of Scotland, ſo as to be valid in law, or to have any force or effect to be obſerved and kept by the clergie and others within the realme, but that which ſhall be conſidered, conſulted, and agreed upon by the Preſident and major pairt of the members. [He can convene a provinciall ſynod of the biſhops and clergie in his owne province; and ſo may the Archbiſhop of Glaſgow; and other archbiſhops have the ſame power alſo: whereas biſhops can only convene a dioceſian ſynod, who have canonical authoritie in their dioceſes, but the archbiſhop hath canonical authoritie over all the biſhops of his province.]

By act of parliament anno 1606, cap. vi. although all biſhops ought to have chapters, yet the act expreſslie reſerves to the Archbiſhop of St Andrews and his ſucceſſors their antient priviledge, that the common ſeall of the chapter, (always in the archbiſhop or his ſervants cuſtodie,) ſhall ſerve for the chapter's conſent without their ſubſcription. Note, that Archbiſhop Spotſwood took not conſtantlie the benefite of putting this priviledge in execution, but verie often had the chapter ſubſcribing with him in charters and tacks. The reaſone is ſaid to be, that Mr William Scot and Mr Alexander Henderſon being two of the chapter of St Andrews, he tooke the advantage to get them conforming in tantum.

The Archbiſhop of St Andrews is Conſervator Privilegiorum Eccleſiae Scoticanae; and thus Patrick Grahame is deſigned in a decreet pronounced by him, in concilio provinciali, upon ſome differences betwixt John Lock rector of the Univerſitie of St Andrews, and [John Athilmare] the proveiſt and chanons of St Salvator's Colledge for the time; the decreet is dated July 17, 1470. I conceive this priviledge of old was not annext to this ſee, for Thomas Biſhop of Aberdeen was conſervator

ſervator of the church's rights in 1459, and the Abbot of Newbattle in 1541.

The Archbiſhop of St Andrews, virtute officii, is conſtant Chancellour of the Univerſitie of St Andrews, and, ad libitum, names and conſtitutes a vice-chancellour for conferring of degrees, &c. in the univerſitie; Archbiſhop Gladſtones often diſcharged this dewtie in perſone. [And ſome of them have actuallie confirmed the univerſitie's priviledges; as William Shevez, the firſt Archbiſhop of St Andrews, in his charter of confirmation dated June 2, 1479, whereby he alſo enjoins the ſtrict defences and conſervation of theſe priviledges to certaine churchmen in theſe words: "Vobis, decanis noſtrae Chriſtianitatis et dioceſis de Fife, "Forthryfe, Angus, Gowrie, et Merns, Linlithgow, Hadingtoun, et "Merns, &c. in virtute ſanctae obedientiae, ſtricte praecipiendo."]

And frequentlie for their extraordinarie prudence, integritie, and merit, the archbiſhops of this ſee have been promoted to the dignitie of High Chancellonr of Scotland, as may be ſeen in the Appendix to Spotſwood's Church Hiſtory; but there the author comes ſhort in his compt of the prelates of this ſee, who have been chancellours of the kingdome, for he omits James and Alexander Stewarts.

The archbiſhops have frequentlie crowned the kings of this realme, eſpeciallie after the ceremonie of anointing the kings obtained here. Godricus Biſhop of St Andrews anointed Edgar the ſon of Malcolme the third anno 1098, ſays Spotſwood; but in 1103, ſayes Biſhop Leſlie, after the manner of other Chriſtian princes, which was not formerlie uſed in the coronation of our kings. This priviledge in favours of the Scots kings was procured from Urban the ſecond at the requeſt of Queene Margaret. William Malvoiſne, Biſhop of St Andrews, anointed and crowned Alexander the ſecond; and Archbiſhop Spotſwood crowned King Charles the firſt, in Scotland, anno 1633: Yea, and it generallie obtained that the prelates of this ſee crowned our kings.

By

By a decreet arbitrall pronounced by certaine honourable perſones, judges, arbitrators, nominate and choſen by the Archbiſhops of St Andrews and Glaſgow, and the Biſhops of Galloway and Orknay, for themſelves, and taking burden upon them for the remanent biſhops of this kingdome, and the four commiſſars of Edinburgh, in June 1609, the Archbiſhop of St Andrews is ordained to ſubſcribe and deliver new gifts and proviſions to the commiſſariot of Edinburgh, to the then commiſſars, as dioceſan commiſſariot in the haill bounds of the dioceſe of St Andrews beſouth Forth, whereof they were formerlie in poſſeſſion during their lifetime. Item: the Archbiſhops of St Andrews and Glaſgow are decerned to provide, either of them, two of the ſaid commiſſars, with ſufficient gifts for deciding all actions of divorce; of the lawfullneſs and unlawfullneſs of marreage; of baſtardie; of adherences when annext with the queſtion of the unlawfullneſs of marreage or adulterie; and for reducing the dioceſan commiſſars their decreets in prima inſtantia, which are onlie proper to the four commiſſars of Edinburgh. And accordingly thereafter, upon vacancies, the two archbiſhops nominated and preſented the commiſſars of Edinburgh, keeping and obſerving that method. But in anno 167 , King Charles the ſecond, by his gift under the Seall, conferred and beſtowed the nomination and preſentation of all the four commiſſars of Edinburgh upon the Archbiſhop of St Andrews, then in office, and his ſucceſſors in all time coming.

The Archbiſhop of St Andrews ſits in parliament as a temporall lord in theſe capacities (for ſo often is his Lordſhip the king's free baron and fewdall in reſpect of the lands and baronies annext to the ſee), as Lord Archbiſhop of St Andrews; Primate of the kingdome; firſt of both States, ſpirituall and temporall; as Lord of the Lordſhip and Priorie of St Andrews; Lord Keig and Monimuſk; Lord Byrehills and Polduff;

Lord

Lord Kirkliſtoun; Lord Biſhopſhyre; Lord Muckhartſhire; Lord Scotſcraige; Lord Stow; Lord Monymaill; Lord Dairſy; Lord Angus; Lord Tyninghame; Lord Little Preſton.

My Lord Archbiſhop of St Andrews, and all the biſhops of Scotland, are barons temporall, lords and peers of the kingdome theſe wayes. They are fewdall in regard of the lands and baronies annext to their biſhopricks, by virtue whercof they are called to, and ſit in parliament. Alſo they are created barons by patent, which always is, or ought to be, exhibited at their conſecration. And as all biſhops have the precedencie of all noblemen and temporall lords under viſcounts, ſo the Archbiſhop of St Andrews hath the precedencie of all dukes and marqueiſſes of the kingdome. And by a letter from the king anno 1626, renewed anno 1664, the Archbiſhop of St Andrews is to take place of the chancellour and all the ſubjects of Scotland; but our lawyers think thereby is not meant the king's ſones and brothers: Any yet even ſince the laſt letter, the Archbiſhop of St Andrews hath uſuallie ceded the precedencie to the chancellour.

And for the archbiſhop and other biſhops of this kingdome being the king's free barons and temporall lords, they were in uſe to give their oath of fidelitie to the king in theſe words: "I ſhall be leill and "true to yow my leidge Lord James King of Scots, and ſhall not heare "your ſkaith nor ſee it, but I ſhall lett it at all my power, and warne yow "thereof: Your counſell leill that yow ſhew me I ſhall conceele: The "beſt counſell that I can to give yow when yow charge me in verbo "Dei; and ſwa help me God and the haillie evangills." [My document bears this inſcription "of the oath of forma fidelitatis prelatorum in "parliamento 1445, Junii 13." But by the printed acts there was no parliament holden that year.

It appears from the ranking of witneſſes in charters of King David the firſt, Malcolme the fourth, William, David the ſecond, Robert the ſecond, Robert the third, and James the firſt, that biſhops had the place next the king himſelfe, and preceded all of the blood royall; yea I find the prince and heir of the crowne is named after the biſhops, in a charter by David the firſt, and in a charter by Robert the ſecond.

In the parliament holden in July 1428, cap. 109, the ſucceſſors of all prelates in the kingdome, and the heirs of all earles, barons, and freeholders, tenentur facere confimile juramentum Dominae noſtrae Reginae, nec ullus prelatus, de caetero admittatur ad ſuum temporalitatem, aut heres cujuſve tenentis Domini Regis ad ſuas tenendrias, niſi prius praeſtet Reginae illud juramentum. Alſo by the 136 act of the parliament holden at Perth 10th January 1434, all the lords of parliament tam eccleſiaſtici quam ſeculares promiſerunt dare literas ſuas retinentiae et fidelitatis Dominae Reginae (both the acts are in Latine concluded there). So biſhops and prelates are bound to give their oath of alledgeance to the Queen, as they do the King conforme to the modern cuſtome, by theſe acts and the inveterate cuſtome of this kingdome.]

The Archbiſhop of St Andrews conſecrates, confirmes, and tranſlates all biſhops dewlie elected, promoted, and tranſlated to any of the biſhopricks within his owne province, which are theſe nine, viz. Edinburgh, Dunkeld, Aberdeene, Murray, Breechin, Dumblane, Roſs, Caithnes, and Orknay: Yea, and the Archbiſhop of St Andrews tranſlates to Glaſgow itſelf.

The menſall and patrimoniall churches belonging to the archbiſhoprick of St Andrews are theſe; the Trinitie church of St Andrews; the churches of Monymeall, Kirkliſtoun, and Stow; and ſome think Linlithgow: Some ſay that the Trinitie church of St Andrews was a Prior church.

Some

Some of the archbiſhops of St Andrews have had alſo places and honours conferred upon them by the Pope, as Biſhop Walter Traill was made Papae referendarius; that is, idem quod relator, a referendo ſupplicibus reſponſa, ideo ſic dictus, quod ad eum univerſae publicae deferentur conſcriptiones, quas ipſe ſigillo ſibi commiſſo muniret. Spelman. In ſome things the referendarius is like the maſter of requeiſts, and in others near the office of chancellour. This office was brought in by Juſtinian, and kept up both by the great church of Conſtantinople and by the kings of France, who for a long time had no other chancellors: therefore the office hath been nearly the ſame; and this office was alſo ſome time in uſe in England. Spelman.

Amongſt the Border laws, in 1249, this clauſe is to be found: "Item "dicunt, quod omnes homines inter totenagis quae eſt in Anglia, et "Caithnes quae eſt in Scotia, de jure ſecundum conſuetudines dictorum regnorum, poſſunt vocari ad marchias, ad bellum faciendum, "exceptis perſonis propriis regum praefatorum regnorum et epiſcoporum Sti Andreae et Dunkeldenſis, ut antea in vulgari eſt."

SECTION II.

OF THE ARCHBISHOPS OFFICERS AND SUBSTITUTS IN OFFICES BELONGING TO THEM.

BESIDES the offices of admirall, heritable baillie, cuſtomer, ſearcher, &c. belonging to the archbiſhops of St Andrews, of which formerlie in chapter vi. they have alſo divers others, viz. theſe following.

MARESCALLUS DOMUS, ane office that at firſt had but ſmall and mean beginnings, in the time of Carolus Calvus, that is in the ninth centurie,

centurie, being then idem quod ſtabularius et ſtallarius. But thereafter the office became exceedinglie honourable, and Mareſcalli Domuum nuncupati ſunt non ſolum ſtabuli regii praepoſiti, ſed et regiae domus, regii exercitus, regiarum curiarum adminiſtratores, nihil cum equis contrahentes. The Duke of Saxonie being archi-mareſcallus, and Count Papeinheim mareſcallus of the empire.

The office of mareſcall to the Lord Archbiſhop of St Andrews his houſe is annext to the lands of Kembak in Fife, and was firſt beſtowed upon the Schevezes, heritors thereof, by William Schevez, archbiſhop, who was a brother of the houſe. Since theſe lands went from that familie, ſome ten years agoe, the office is now in the perſone of Mr Arthure Mackgill of Kembak, whoſe infeftment dated September 1677, bears this clauſe relative to the ſaid office: "Volumus quod dictus "Arthurus Mackgill, haeredes ſui et aſſignati, tenebuntur ad exhi- "bendum nobis et ſucceſſoribus noſtris in aula noſtra, ſeu alibi, ubi "opus fuerit, ad voluntatem noſtram ſeu ſucceſſorum noſtrorum, ob- "ſequium ſeu ſervitium mareſcallatus, pro quo obſequio ſeu ſervitio "ſic exhibendo, ſummam 20 libr. pro eorum feodo, annuatim et ſin- "gulis annis allocabimus, et per nos et ſucceſſores noſtros allocari vo- "lumus in ſummis pecuniariis, pro praefatis terris nobis debitis." And in Archbiſhop John Hamilton his charter of theſe lands to John Shevez, dated January 13, 1554, the fee is but five merks, with this clauſe: "Cum ad hoc ſervitium mareſcallatus ex parte noſtra, et ſucceſſorum "noſtrorum requiſiti fuerint, alioqui poſt decurſum quorumlibet no- "vem annorum, continuie feudi firmam duplicare tenebuntur."

CONSTABULARIUS, a Gallico Coneſtable, Lat. Comes ſtabuli; olim ſtabuli imperatorum praefectus, et apud Italos, equitum praefectus. And among the Engliſh mention is made of conſtabularii regni, caſtri, hundredi,

dredi, et villae; quin etiam conſtabularii claſſis regiae, iidem qui Admiralli. Conſtabularii munus arduum fuit et ampliſſimum, tam in bello, quam in pace, ad conſtabularium pertinet cognoſcere de bello extra regnum et de rebus ad arma ſeu bellum attinentibus intra regnum. Conſtabularius caſtri eſt ejuſdem praefectus ſeu oeconomus, omnia curans ad rem militarem vel familiarem pertinentia. As to the archbiſhop's conſtable, Biſhop William Landells, by his charter dated 18 Junii 1383 (wherein he deſigns himſelfe Willielmus de Landeliis, cathedralis eccleſiae Sti Andreae miniſter humilis), grants to John Weyms de Kirkaldie, and his airs male, of the lands of Aithocker, now called Lathocker and Muiretoun, with ane acre beſide the meadow of Radernie, called the Conſtable's Cruik, and the ſalmond fiſhing called Yeard-head Fiſhing of Portincraig, together with the office of conſtabularie of the caſtle and citie of St Andrews; with a power to ſubſtitute conſtables, in caſe of minoritie, with the biſhop's conſent. The reddendo of the charter is the ſervice of a conſtable; and for ward, relief and ſuit of court. Alſo Biſhop Henry Wardlaw, by his charter granted to John Weyms of Kilmany, and Janet Wardlaw his ſpouſe, gives, and diſpones to them, the office of conſtabularie of the caſtle and citie of St Andrews, with the lands of Lathocker and Muiretoun, with this proviſion, that if the air be minor at any time, the biſhop and his ſucceſſors may chuſe one of the neareſt of kin to officiate till his majoritie. This is confirmed by King James the ſecond, Auguſt 1440, anno reg. 4o. Alſo James Kennedy, Biſhop of St Andrews, upon the 20th of June 1443, by a write under his hand, conſents that John Weyms of Lathocker, being to goe about his affairs, ſubſtitute James Traill, his brother-in-law, his conſtable for a year. The ſame James Kennedy by another write, Auguſt 1459, wherein he is deſigned James, by the mercie of God, Biſhop of St Andrews, narrating that Lathocker being to goe abroad, and his appoint-

ing his couſin Alexander Kennedy of Urwell, captain of the caſtle of St Andrews, ſhall be no prejudice to Lathocker, who was conſtable thereof.

The other offices of the archbiſhop are not hereditarie, but only temporarie and moveable; and they are the following.

CAMERARIUS; eſt qui receptui praeeſt, and collects and ingathers the rents and revenues of the ſee.

OSTIARIUS; πυλωρος, cui aperiendi et claudendi templa cura mandatur; eoſque repellendi et excludendi, quibus ſacra communione interdictum eſt. Duaren. lib. ii. cap. 14.—Ad oſtiarium pertinent eccleſiae claves, ut omnia quae ſunt intus vel extra cuſtodiant, fideles recipiant, et infideles ingreſſu arceant. Corvin. Jus Can. p. 38. Yet ſome think that by the archbiſhop's oſtiarius is meant his maſter-uſher; and others his porter. But charters oft bearing oſtiario noſtro as a witneſs, the laſt can hardlie be admitted, except (againſt reaſone) there were a penurie of witneſſes about ſo great a man.

DAPIFER; officialis in aulis principum et privatorum hoſpitiis, cujus nomen eſt muneris interpres, dictus aliquando domeſticus, major domus, oeconomus, ſeneſcallus, praefectus menſae. And dapifer and major domus have been of the ſame office, that is rei cibariae et totius rei domeſticae praefectus.

CAPELLANUS; capellani primi dicti ſunt, qui capellam, i. e. capſam, ciſtam reliquiarum curabant; deinde qui ſacellum ubi eadem ſiſtebatur, et tandem omnes qui a ſacris miniſtrabant, clerici et ſacerdotes. Hodie capellanos proprie vocamus qui ſolum magnatibus ſunt a ſacris, ut pote privatis eorum capellis adſcriptos.

PINCERNA, a butler.

All theſe officers the archbiſhops of this ſee have had; and mention is frequentlie made of them when they were witneſſes to their deeds and charters, as in a confirmation granted by Ricardus, epiſcopus Sti Andreae

dreae, et eccleſiae Sti Andreae humilis miniſter, To, &c. The mareſcallus, camerarius, dapifer, et oſtiarius noſtri, are witneſſes; and in the confirmation of the church of Kinghorne, the archdeacons of St Andrews and Lothian, the biſhop's chaplaines, dapifer, camerarius, mareſcallus, and oſtiarius, are inſert as witneſſes to the deed.

They have alſo had other officers beſides theſe abovenamed; as their OFFICIALIS, CLERICUS, SECRETARIUS, which are well underſtood. ADJUDICATOR, lie Dempſter, vid. ſupra, chap. vi. ſect. 4. Finallie, the archbiſhops of this ſee had a VICARIUS GENERALIS, a priviledge not common to everie ſee. For by the cannon law, archidiaconus poſt epiſcopum eſt, in omnibus vicarius. Yet this ſee and the prelates thereof, for their greater dignitie, have had more conſiderable perſones, even other prelates to be their vicars generall, qui non habent jus conferendorum beneficiorum, etiamſi ſit vicarius generalis, licet ei poſſit haec facultas concedi, quo caſu beneficia vacantia quibuſcunque perſonis idoneis recte confert, praeterquam ipſi epiſcopo cujus vice fungitur, quamvis autem beneficia non confert vicarius generalis; confirmare electos, et praeſentatos a patronis inſtituere poſſe creditur; ſi non vocat beneficium, facultas conferendi certi beneficii vicario non poteſt concedi, quia per concilium Lateranenſe, collatio beneficiorum nondum vacantium, prohibetur, tanquam inducens votum captandae mortis alienae. Duarenus de Sacr. Eccleſ. Min. lib. iii. cap. 7.

In chap. iv. ſect. 1. it is alledged, that now the Biſhop of Edinburgh is vicar generall of St Andrews ſince the erection of that ſee. But the Biſhop of Dunkeld was vicar generall to this ſee for convening the electors before, and that by act of parliament anno 1617, cap. 3. It is conjectured that then Dunkeld gote that office, and no ſooner; for of old it was not ſo; but it was either fixed in the prior, or arbitrarie. By a charter granted by King James the fifth to the collegiate church of

Reſtalrig,

Reſtalrig, dated 10 October 1515, among twelve honourable witneſſes inſert, John [Hepburn] is one, and is thus deſigned; " Priore Eccleſiae " Metropolitanae Sti Andreae, et ejuſdem (ſede vacante) Vicario Generali." Whether the ſee of Dunkeld then vaiked, or if the prior was Dunkeld's ſubſtitute, contrare to the canon law, aſſerting vicarius vicarium ſubſtituere nequit, I ſhall nor I can not, determine. In the parliament July 1546, the vicar generall of St Andrews his commiſſioner Sir John Caſtlelaw compeared and produced a commiſſion to repledge Sir John Young, (alledged airt and pairt of the Cardinal's murther,) from ſenſement and judgement of the parliament, to his judge ordinare, becauſe he was a ſpirituall man, deſiring that he might be repledged to his ordinarie, which the parliament granted. Thereafter the ſaid commiſſioner aſſigned to the Queen's advocate the 13th of Auguſt next, to compeare in St Geile's kirk in Edinburgh, before the commiſſioners to be depute by the vicar generall, in the Conſiſtorie Iſle, to ſee juſtice done upon the ſaid Sir John Young as effeirs.

The Archbiſhop of St Andrews has alſo his chancellour; and the Biſhop of Edinburgh ſerves in that office, virtute officii, ſince the erection of that ſee, ut vid. cap. iv. ſect. 1. ſupra. et cap. ix. ſect. 3.

SECTION III.

OF THE ARCHBISHOPS THEIR DESIGNATION BEFORE AND SINCE THE REFORMATION.

THE archbiſhops of this ſee, and the biſhops thereof, who preceded them, the old deſignation they uſed was thus ordinarilie, till King James the third his time. " N. Dei et apoſtolicae ſedis gratia, Sti Andreae epiſ-

" copus,

" pus, humilis Dei miniſter;" and ſometimes " miſeratione divina." But after that William Shevez was made archbiſhop, the ſtyle in charters runs thus: " N. Dei et apoſtolicae ſedis gratia Sti Andreae archie- " piſcopus, totius regni Scotiae primas et metropolitanus, legatus natus." The deſignation of ſome of the biſhops of old, that is one of them called William, and long after, of the cardinals, runs thus: N. miſeratione divina archiepiſcopus Sti Andreae, totius regni Scotiae primas, legatus natus, ac apoſtolicae ſedis cum poteſtate et facultate legatus de latere. Obiter nota, that the difference betwixt legatus natus and legatus a latere ſtands in this chieflie, that legatus natus eſt ratione eccleſiae, ſeu beneficii poſſeſſi, et poteſtatem a pontifice habet tanquam ejus legatus; verum legati a (vel de) latere ſunt qui ex latere ſummi pontificis et ejus ſenatu accipiuntur, et nomine ſummi pontificis, poteſtate accepta, in provincias mittuntur.

The Archbiſhop of St Andrews is at this day, and hath been of a long time, primus par regni, the firſt peer of the kingdome, the firſt of the firſt eſtate, and is compted next to thoſe of the blood-royall; and in writing and ſpeaking to him is given the title of Grace, and the Moſt Reverend Father in God. And the magiſtrates and toun councill of St Andrews, patrons of the chaplanries founded in the pariſh church there, in their preſentations of old in favours of chaplanes, addreſſed the archbiſhop thus: Reverendiſſimo in Chriſto Patri et Domino, N. Dei et apoſtolicae ſedis gratia archiepiſcopo eccleſiae metropolitanae Sti Andreae, totius regni Scotiae primati, et legato nato, Domino noſtro metuendiſſimo, praepoſitus, ballivi, et conſules civitatis veſtrae Sti Andreae, reverentias omnimodas cum omni manſuetudine debitas.

But now ſince the reformation and caſting off the yoke of Rome, the deſignation the archbiſhop uſes is only thus: N. miſeratione divina (vel providentia) Sti Andreae archiepiſcopus, totius regni Scotiae pri-

mas, et metropolitanus, &c. And ſince the mortification of the priorie to the archbiſhoprick, the ſame with this addition: Dominus dominii et prioratus Sti Andreae, eſpeciallie in charters of lands holden of the priorie. And the magiſtrates and councill of St Andrews when they addreſs my Lord Archbiſhop in write it is thus; after his other titles they add this: Our verie rightful and undoubted Overlord.

I find Archbiſhop Andrew Foreman once deſigned thus: Andreas miſeratione divina Sti Andreae archiepiſcopus, totius regni Scotiae primas, apoſtolicae ſedis legatus natus, ac per univerſum regnum praedictum ejuſdem ſedis cum poteſtate et facultate legati de latere legatus, anno 1518.

The Archbiſhop of St Andrews gives for his enſigne armoriall, a field azure charged with a St Andrews croce argent for the arms of the ſee on the dexter impaled with the incumbent his paternall coat, with two croſiers ſuppreſſed of the field ſupported by two winged cherubs.

SECTION IV.

OF THE ARCHBISHOPS THEIR CARE TOWARDS THE SEE.

THE venerable prelates of this ſee have been anxiouſlie carefull to mainteine the rights and dignitie of the church, the ſee and its incumbents, and alſo to promote policie in the commonwealth, and the proffeit of the heritors their vaſſells. For many of the vaſſells of this ſee (beſides the obligations on them to fidelitie to their ſuperior ex jure communi et feudali), are, by their charters received by them from the archbiſhops, obliged praeſtare juramentum fidelitatis et manu-tenentiae to the archbiſhops their ſuperiors, and are expreſslie bound to attend and waite upon

upon them and their ſucceſſors, yea, and their factors and chamberlanes, in all reids and hoſts, and to protect and defend them and the dignitie of the metropolitick ſee againſt all deadlie, the king's majeſtie onlie excepted; the words are commonlie theſe: Preterea tenebuntur equitare nobiſcum, vel cum camerario noſtro, &c. This will the more evidentlie appeare by conſidering the following clauſes in the reddendos of theſe conſiderable vaſſells their charters. In the charter granted by John [Hamilton] Archbiſhop of St Andrews, to Archibald Maſter of Argyle, [i. e. the Earle's eldeſt ſon,] Lord Lorn, upon his father's reſignation of the lands of Balrudrie, Pitgobey, Blairhill, &c. the reddendo bears this clauſe: "Inſuper dictus Archibaldus, haeredes ſui et aſſignati, juramen-" tum fidelitatis ſucceſſive in eorum introitu praeſtabunt nobis et ſuc-" ceſſoribus noſtris Sti Andreae archiepiſcopis pro tempore exiſtenti-" bus, ac ad fidele et ſpeciale conſilium, [i. e. as ſome think, the arch-" biſhops parliaments,] nobis, et iis, cum ad hoc requiſiti fuerint, prae-" bendum; nec non auxilium, aſſiſtantiam et manu-tenentiam noſtri " et eorundem ſucceſſorum, et eccleſiae noſtrae Sti Andreae et liberta-" tis eccleſiaſticae tuitionem, protectionem, et omnimodam defenſionem, " contra quoſcunque ejuſdem libertatis invaſores ſeu perturbatores, pro-" tempore medio juramento impendente obligabuntur, et perpetuis futu-" ris temporibus tenebuntur." The charter is dated in March 1556, conſecrationis concedentis decimo, et ad regni primitialem ſedem tranſlationis ſeptimo. And the witneſſes therein are, Jacobus commendatarius de St Andrews et Pittenweyme; [the Earle of Murray;] Donaldus Abbas de Cowper; Joannes Uſufructuarius de Pittenweyme; et Magiſtro Alexandro Forreſt noſtro ſecretario. The narrative of the charter is, pro diverſis et magnis auxiliis, conciliis, et benemeritis, per dictum Archibaldum nobis et eccleſiae noſtrae, et pro libertatis eccleſiaſticae tuitione, manu-tentione et defenſione, hoc tempore periculoſo, haereſibus undique pullulantibus,

pullulantibus, et libertatem eccleſiaſticam ſubvertere nitentibus, multipliciter praeſtitis et compenſis, et in futurum per eundem pro hujuſmodi eccleſiae noſtrae et libertatis eccleſiaſticae preſervatione ac defenſione praeſtandis et impendendis, &c.

[And in another charter granted by the ſame archbiſhop to William Arthure of Cairns, of a tenement and fair houſe in St Andrews, which formerly belonged to George Wincheſter of Kinglaſſie, who was convict of hereſie by the church (that was for having in his cuſtodie, and reading a Bible in Engliſh, as his poſteritie report, for the proceſs is not found, nor is it mentioned by our hiſtorians) and whoſe lands and goods thereby fell to the crowne; and the Queene having preſented the ſaid William Arthure to the heritable tenement of the ſaid houſe, in a letter of preſentation, dated September 14, 1550. The archbiſhop ſayes in the charter, Nos vero dicti tenementi Dominus ſuperior, S. D. N. reginae deſideriis et requiſitionibus, citra tamen praejudicium juris privilegii regalitatis noſtrae Sti Andreae nobis, ea in parte, et praemiſſis competentum, et non alias obtemperare volentes: Qua propter noveritis nos dediſſe et conceſſiſſe, &c. The charter is of the ſame date with the letter of preſentation.

In the charter granted by James [Sharp] Archbiſhop of St Andrews, to Sir William Bruce, Bart. of his lands about Lochlevin, conforme to the charters thereof of old, granted to the Earles of Mortoun upon the deceiſt William Earle of Mortoun his reſignation, in Sir William's authors favours, the reddendo bears expreſsly, Inſuper dictus Dominus Williel-mus Bruce ejuſque praedicti juramentum fidelitatis ſucceſſive in quolibet eorum introitu ad dictas terras praeſtabunt nobis et ſucceſſoribus noſtris Sti Andreae archiepiſcopis exiſtentibus pro tempore, et ad fidele et ſpeciale conſilium nobis et iis, cum ad hoc requiſiti fuerint, praebendum; nec non auxilium, aſſiſtentiam, manu-tenentionem noſtri et eorundem

ac

ac eccleſiae noſtrae Sti Andreae et libertatis eccleſiaſticae tuitionem, protectionem, et omnimodam defenſionem contra quoſcunque ejuſdem libertatis eccleſiaſticae invaſores ſeu perturbatores, pro tempore medio juramento impendente obligantur, et tenebuntur perpetuis futuris temporibus; proviſo etiam quod dictus Dominus Willielmus Bruce, ejuſque praedicti faciant eorum exactam diligentiam, et omnem eorum operam perpetuis futuris temporibus, impendere defenſionem et manu-tentionem veterum marchiarum et limitum noſtrorum omnium et ſingularum terrarum, piſcationum, nemorum, uſtrinorum, et molendinorum, prout in antiquis infeofamentis eorundem continetur. The charter is dated April 1677.

And in ſundrie charters granted to the vaſſells, this clauſe is frequent: " Et praeſtabunt juramentum fidelitatis et obedientiae nobis et ſucceſ- " ſoribus noſtris Sti Andreae archiepiſcopis, ſedique noſtrae metropoli- " tanae et primitiali Sti Andreae, caeteraque omnia alia facientes juxta " et ſecundum formam rentalis noſtrae." And in the reddendo of ſome charters I find this clauſe: " Salva et reſervata nobis et ſucceſſoribus " noſtris in dictis terris omnimoda regalitate, juriſdictione, et ſuperiori- " tate ut prius."

In the tack of the teynds of Litle Preſton, ſet by Archbiſhop Hamilton to John Lord Borthwick, the narrative is, " Conſiderantes vetera, antiqua, longa, et continuata, diuturna, bona ſervitia, acta ab aevo longo per quondam praedeceſſores et progenitores Dominos de Borthwick, uſque in nobilem D. Joannem modernum D. de Borthwick, D. archiepiſcopis Sti Andreae, et ſedi archiepiſcopali ejuſdem, ratione quorundam ſpecialium contractuum, ſcripturarum, indenturarum, inter ipſos confectarum et regiſtratarum; et videntes dictum D. de Borthwick eſſe illius animi et voluntatis continuo inſervire et perpetrare ſimilia diuturna ſervitia, cum ipſum per nos et ſucceſſores noſtros requiri contigerit, &c.

Igitur aſſedaſſe, &c. dicto D. Joanni de Borthwick, haeredibus ſuis maſculis et aſſignatis quibuſcunque non majoris authoritatis aut potentiae, quam ipſi principales, decimas garbales villae de Litle Preſton, &c. pro 19 annis poſt lie Lambas 1558. Reddendo 40 ſhs. &c. Ac inſervire tenebuntur nobis per ipſum D. de Borthwick, amicos et conſanguineos, ſervitores, tenentes, et alios quoſcunque ſuae parti faventes, quoties etiam requiſiti fuerint ex parte auſtrali de Forth ſuis propriis ſumptibus tantum, et ex Boreali parte noſtris ſumptibus tantum et non alias. Inſuper, ut ſingulis tenentibus et ſubditis noſtris dominium et baronium de Stow, jacentem infra regalitatem noſtram Sti Andreae, ac ejuſdem terras inhabitantibus, in ſuis cauſis, actionibus, et querelis, juſtitia equaliter miniſtretur, facimus, &c. dictum Joannem D. de Borthwick, haeredes ſuos maſculos quoſcunque noſtrum, et dictae regalitatis Sti Andreae infra dominium et baroniam noſtram de Stow, balivum pro ſpatio 19 annorum. Praeterea ei concedimus, &c. noſtram veram, liberam, puram, et expreſſam poteſtatem, ac mandatum ſpeciale, pro nobis et nomine noſtro, et ſucceſſorum noſtrorum nominibus, omnes curias noſtras, et placita capitalia apud dominium et baroniam de Stow tenere, et alias curias quaſcunque infra dictum dominium et baroniam praedictam quibuſcunque locis et diebus tenendi, &c. ſectas vocandi, continuandi ut ipſis videbitur: Noſtros vaſſallos, libere tenentes, ſubditos, et alios quoſcunque inhabitantes, ad illas curias vocandi; abſentes, delinquentes, et tranſgreſſores quoſlibet accuſandi; eorumque crimina, abſentias, et delicta, prout juris fuerit, puniendi, mulctandi, amerciandi, &c. Et omnes et ſingulos homines dicti noſtri dominii et baroniae, libere tenentes, vaſſallos, et alios noſtros etiam ſubditos, infra dictam baroniam et regalitatem inhabitantes, ac familiares et ſervitores eorum, eorumque res, bona, et catalla ad itinera juſticiariae et camerariae S. D. N. reginae, aut aliorum vicecomitum, burgorum, baronum, aut aliorum judicum ſpiritualium vel ſecularium

larium quorumcunque curias infra hoc regnum aut aliorum quorumcunque miniſtros, officiarios, pro quibuſcunque cauſis ſeu actionibus quovis modo judicatos, attachiata et arreſtata, ad nos et regalitatis noſtrae curias, infra dictum dominium et baroniam, libertates et privilegia, reducendi et replegiandi, commiſſiones deſuper dandi, curias deſuper ſtatuendi, cautionem juridicam deſuper dandi, ac juſtitiam acquitantiae omnibus ſubditis noſtris querulantibus miniſtrandi, deputatos in praemiſſis ſtubſtituendi, eoſque revocandi, durantibus dictis 19 annis; et generaliter omnia et ſingula faciendi et exequendi, quae in praemiſſis neceſſaria fuerint, et quae ad officium ballivatus de jure et regni conſuetudine pertinere quovis modo dignoſcuntur. Ratum, gratum, et firmum pro nobis et ſucceſſoribus noſtris habentes totum id quod dictus noſter ballivus et ejus deputati rite duxerint, et warrantizabimus dictam aſſedationem contra omnes mortales prout jura volunt defendere. Data 10 Junii 1558. Unus teſtium, Magiſter Alexander Forreſt, praepoſitus beatae Mariae de Campis, noſter ſecretarius.

As to the increaſe of policy and melioration of the lands, many charters of the archbiſhops vaſſells, but more frequentlie the vaſſells charters holden of the priorie, bear expreſslie this clauſe in the reddendo as an obligation upon the vaſſells: "Ac etiam plantando arbores fraxinos et "platanos, et alias quaſcunque arbores in ſolo praedictarum terrarum "de (N.) correſponden. duntaxat ad ipſas terras decorandas, et politiam "reipublicae regni Scotiae ſolo congruentes; ac ſervando limites earun-"dem immanes et illaeſas, ab invaſione et preſſura vicinorum circum-"jacentium, aut debite intimando nobis aut ſucceſſoribus noſtris."

CHAPTER

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER IX.

STATE OF THE ARCHBISHOPRICK OF ST ANDREWS AT THE GENERAL ASSUMPTION, ANNO 1561.

SECTION I.

OF THE RENTALL OF THE ARCHBISHOPRICK, AND ACT OF PARLIAMENT 1606.

IN December 1561, it was ordained by act of councill, that the third of all benefices within the realme ſhould be applied to the miniſter's maintenance in the firſt place, and the ſuperplus of theſe thirds to the maintenance of the king's houſe; and to this effect all the prelates and beneficed perſons were ordained to give up the rentals of their benefices to the collector and clerks, who were then appointed for that effect: And conforme thereto, the prelates and beneficed perſones gave up their rentalls, which were regiſtrate in their books. The rental of the archbiſhoprick of St Andrews, as given up by Archbiſhop John Hamilton

at

at the generall aſſumption of the rents of the great church benefices, anno 1561, was as follows.

In money, ...	L. 2904 : 7 : 2.
Wheat, ...	30 chald. 9 bolls.
Bear, ...	41 —— 10 ——
Oats, ...	67 —— 0 ——

And then the rent payed to the king out of the ſuperplus of the third of his benefice was 1000 merks. But at the reſtitution of biſhopricks, anno 1606, they were reponed again to their thirds, and redintegrate to their ancient honours, priviledges, lands, kirks, teynds, rents, twa pairts, thirds, temporalitie and ſpiritualitie of their biſhopricks, notwithſtanding of the act of councill anent thirds, and the act of parliament anent the annexation of benefices to the crowne in July 1587, they entertaining the miniſters ſerving the cure at the kirks of the biſhopricks upon the readieſt of the thirds, according to ane reaſonable aſſignation, and that by act of parliament 1606, chap. ii.

Item: by the foreſaid act the biſhops are reſtored to their ancient dignities, lands, livings, &c. And the act of annexation in anno 1587 is declared reſcinded as if it had never been made. Yet the act excepts diſpoſition of patronages perteining to biſhopricks, if ratified in parliament, and no others. 2o. The act excepts common kirks perteining of old to biſhopricks and their chapter in common, diſponed by the king before the act. 3o. The act excepts from the reſtitution, the caſtle of St Andrews and yairds of the ſame, diſponed to George Earle of Dumbar upon the archbiſhop's reſignation, and diſſolved by the parliament from the archbiſhoprick, with the biſhop's conſent then preſent; in lieu whereof the king and parliament diſpones to the Archbiſhop of St Andrews and his ſucceſſors, the proveiſtrie of Kirkheugh, the vicarage and archdeaconrie of St Andrews to remain with the archbiſhop

and his ſucceſſors for ever, with a yearlie penſion of 300 merks to the archbiſhop. So the caſtle of St Andrews and the yairds are not comprehended in the act, nor are to be accompted a pairt of the patrimonie of this archbiſhoprick thereafter, being thus diſſolved therefrom. 4°. The parliament extends not this act to the rights of Sir Robert Melvill of lands of Monymeall, and the patronage of the kirk thereof, belonging of old to the Archbiſhop of St Andrews.

SECTION II.

OF THE LOSSES THE SEE HATH SUSTAINED, AND OF THE DIMINUTIONS OF ITS REVENUE.

WHAT have been the great and ample priviledges wherewith this ſee hath been endowed, and how many lands have holden thereof, and how conſiderable and vaſt this benefice hath been, is in ſome ſort above accompted of; but now we are to conſider the ſame as much impaired and abridged in its revenues, eclipſed in its grandeur, and extremelie diminiſhed in its ancient luſtre and ſplendour, which hath come to paſs in manner following, and by theſe deeds.

1°. By the erection of the priorie of St Andrews, which was done by the biſhops of this ſee, furth of the lands, kirks, teynds, and emoluments belonging to the ſee; for before the erection of the priorie, all the kirks, teynds, and lands which the prior and chanons gote, at or before their erection, were formerlie of the patrimonie of the ſee, particularlie the aikers about St Andrews, called the prior aikers, firſt belonged to the ſee, being given thereto by King Alexander the firſt (Spotſwood, p. 34),

and

and were after given and diſponed from the ſee to the prior and chanons by Biſhop Robert, the undoubted founder of the monaſterie. And Biſhop Lamberton, at the dedication of the cathedrall, gave to them the kirks of Dairſie and Abercrombie. And Biſhop William Fraſer having acquired the priorie of Maii (to which Pittenweyme belonged) from the Abbot of Reading in England, diſponed the ſame to the prior and chanons of St Andrews. And hence it is that Pittenweyme was a cell of St Andrews.

2°. By the erection of the hoſpitall of Lochlevin, called Scotland Well, by Biſhop William Malvoiſin, about the year 1230; confirmed by Biſhop David Denham, his ſucceſſor, anno 1250. Vid. infra, chap. xi. ſect. 2.

3°. By the erection of St Salvator's Colledge by Biſhop James Kennedy, who endowed that ſeminarie competentlie for theſe times. Buchanan ſays of him, Reliquit liberalitatis ſuae monumentum egregium, ſcholas publicas ad fanum Andrea, maximis ſumptibus aedificatas, et magnis proventibus, ex eccleſiaſticis tamen fructibus, locupletatas; for he diſponed and mortified to the colledge the teynds of the pariſhes of Qwilts, Kemback, Dunninow, Forteviot, and Kilmany, with ſome chaplanries, all formerlie belonging to the ſee.

4°. At the conteſts betwixt the archbiſhop of this ſee and Glaſgow, near the year 1490, then William Shevez Archbiſhop of St Andrews (to gaine the Earle of Argyle to ſide with him againſt Blackater of Glaſgow), diſponed and fewed out to him the lordſhip of Muckhartſhyre, ut ſupra, chap. v. ſect. 2., and that for a ſmall feu dewtie of L 101 yearlie: and it is not unlike but Biſhopſhyre was then alſo fewed out to the Douglaſſes of Lochlevin upon the ſame accompt.

5°. Alexander Stewart, ſone to King James the fourth, Archbiſhop of St Andrews, gave to the maſters and profeſſors of the Pedagogie (now the New Colledge), the rents of the church of St Michael of Tarvett,

Tarvett, near Cupar; and therefore his ſucceſſor, (though not immediate) Archbiſhop James Beatoun, who firſt deſigned the foundation of the New Colledge, upon and off the Pedagogie, gave thereto off the ſee the kirks of Tannadyce and Tyninghame; and his nephew and ſucceſſor David Beatoun, the cardinall, gave to that colledge alſo the kirk of Inchbryock, all formerlie belonging to the ſee, with the teynds of theſe churches, both perſonage and vicarage, though the foundation was not yet perfected.

60. By the act of annexation 1587, this archbiſhoprick was annexed to the crowne; and then the king ſitting in plaine parliament, as the act words it, declared that it ſhould be lawfull to him to uſe the ſuperioritie and fewferme of Lethame in Fife, a pairt of the patrimonie of the ſee, as ſhall ſeeme good to his Highneſs. After which annexation the rents and revenues of this ſee were all uplifted by the king's officers, except a pittance thereof allowed to Mr Patrick Adamſone then Archbiſhop, for his ſubſiſtence. And Lethame and Monymeall were diſponed by the king to Sir Robert Melvill ut ſupra; and all the other revenues of the ſee were diſponed by King James the ſixth to the Duke of Lennox, who poſſeſſed them till Archbiſhop Gladſtanes came to the ſee, anno 1606; yea and even then when biſhops were reſtored, ſome things were kept back from this ſee, and expreſslie excepted furth of the act. Vid. ſect. immediate precedentem, a medio ad finem.

70. Archbiſhop Gladſtanes wronged the ſee and diminiſhed the revenues thereof very conſiderablie. 10. By fewing out to the Viſcount of Duplin (or Earle of Kinnoull), thereafter Chancellour of Scotland, twentie chalders of victuall of the fewfermes of Kincaple for a ſmall reddendo, which the chancellour thereafter ſold to the Lairds of Dairſie. 20. By fewing out to the heritors of Kilrynnie and Innergellie other five chalders of their fewferme victuall, and converted the ſame to money, at

—— the

—— the boll, which with certaine other of his deeds were extremelie prejudiciall to the ſee, for which he is taxed and cenſured by his ſucceſſor Spotſwood.

SECTION III.

OF THE ERECTION OF THE BISHOPRICK OF EDINBURGH.

KING Charles the firſt, of bleſſed memorie, out of his innate zeall and care for the church, upon a ſupplication preſented to his Majeſtie by John Archbiſhop of St Andrews, [Spotſwood] narrating that the dioceſe of St Andrews was ſo large and ample that he and his ſucceſſors could not well governe all the churches therein, and the river Forth was interjected, ſo that the archbiſhop who had, and was always obliged to have his reſidence at the metropolitick church of St Andrews, being the cathedrall of the ſee, could not by reaſone of tempeſts, contrarie winds, &c. at all times have paſſage to the ſynods and other meetings of the church beſouth Forth; alſo conſidering that the burgh of Edinburgh was the moſt eminent and head burgh of the kingdome, yet fited within the dioceſe of St Andrews, &c. therefore his Majeſtie, for the glory of God, the encreaſe of divine worſhip, and the better government of all the churches within the dioceſe of St Andrews beſouth the Forth, eſpeciallie of the churches of the burgh of Edinburgh, by his Majeſty's charter of erection and mortification, under the Great Seall, dated 29 September 1633, et regni anno 9o. with advice and conſent of his Majeſtie's theſaurer's principall and depute, and remanent lords of the ſecret councill and exchecker of Scotland, diſſolves, ſeparates, and diſunites from the archbiſhoprick of St Andrews, dioceſe, and juriſdiction thereof, all and ſundrie lands, bondas eccleſiaſticas, and pariſhes beſouth Forth, which

formerlie belonged to the dioceſe of St Andrews, comprehending all churches and pariſhes within the ſhreifdome of Edinburgh and within the principall conſtabularie of Haddingtoun, the ſhreifdomes of Linlithgow, Stirling, and Berwick, and bailliarie of Lauderdale, which formerlie belonged to the dioceſe of St Andrews, excepting always, and reſerving to the ſaid archbiſhop and his ſucceſſors, all lands, baronies, woods, mylnes, fiſhings, juriſdictions, regalities, churches, teynds, parſonage and vicarage, and rights of patronage thereof within the bounds foreſaid, which perteines or did perteine to the patrimonie of the ſaid archbiſhop, and whereunto the ſaid archbiſhop has right as proper and patrimoniall lands, baronies, churches, and teynds of his archbiſhoprick; and with advice and conſent foreſaid, his Majeſtie erects all the ſaid lands, bounds, churches, and pariſhes, formerlie perteining to the dioceſe and juriſdiction of the archbiſhoprick of St Andrews beſouth Forth, and eſpeciallie the ſhreifdome of Edinburgh, principall conſtabularie of Haddingtoun, the ſhreifdomes of Linlithgow, Stirling, and Berwick, and bailliarie of Lauderdale, in ane haill, free, and diſtinct biſhoprick, dioceſe, and eccleſiaſticall juriſdiction, with all liberties, priviledges, honours, dignities, immunities, and other benefices, commodities, and emoluments whatſumever, perteining to a free and diſtinct biſhoprick, dioceſe, and eccleſiaſticall juriſdiction, by the lawes and conſuetude of this kingdome, with as full, free, ample, and large power, authoritie, and eccleſiaſticall juriſdiction within the foreſaids bounds, churches, and pariſhes, as are competent to any biſhop within this kingdome; and ſpeciallie (but prejudice of the generalitie foreſaid) with liberty, priviledge, and juriſdiction of the commiſſariot within all the ſaids ſhreifdomes, conſtabularie, and bailliarie beſouth Forth; with admiſſion and deprivation of commiſſars and other members of court, and lifting of quots of teſtaments and other caſualties, formerlie belonging to the

the ſaid Archbiſhop of St Andrews, in the ſame manner as formerlie belonged to the ſaid archbiſhop by the lawe of the kingdome; reſerving and ſuſpending always the uſe of the commiſſariot, juriſdiction thereof, admiſſion and deprivation of commiſſars, and other members of court, the uplifting of the quots of teſtaments within the ſaids bounds, and continuing the ſame in the perſone of the ſaid Archbiſhop of St Andrews and his ſucceſſors, untill his Majeſtie ſhould found to him a rent in lands and teynds equivalent to the rents and emoluments ariſing to them by the ſaid commiſſariot within the bounds beſouth Forth; and but prejudice and reſerving to the preſent commiſſars of Edinburgh their offices and fees for their times, according to the gifts and decreets in their favour, and reſerving to the Archbiſhop of St Andrews and his ſucceſſors their patrimoniall lands, baronies, churches, teynds, and others foreſaids in manner above writte.

There follows in the charter of erection theſe things. 1o. The erection of the burgh of Edinburgh into a citie, and the gift of the priviledges of a citie thereto, ordaining the ſame to be the principall and capitall citie of the kingdome, and of the ſaid new erected biſhoprick, providing the burgh's rights be not augmented nor diminiſhed thereby in any ſort, but the ſame to continue in the ſame ſtate and condition they were in at the date of the charter; and for that effect the king erects St Geils church into a cathedrall, ordaining the ſame to be the cathedrall church of the ſaid new erected biſhoprick, and gives thereto all liberties, priviledges, and prerogatives incumbent to the cathedrall of the ſaid biſhoprick. 2o. The king ordaines this biſhoprick to be called the biſhoprick of Edinburgh, and the dioceſe to be called the dioceſe of Edinburgh, comprehending therein all lands, bounds, churches, and pariſhes above written, which before perteined to the archbiſhoprick of St Andrews beſouth the Forth; and that the perſon to be promoted to the ſaid biſhoprick

biſhoprick be called the Biſhop of Edinburgh, and to bruik and enjoy all honours, dignities, priviledges, authorities, and juriſdictions whatſumever, competent to a dioceſan biſhop by the laws and conſuetude of this realme. Item: that the Biſhops of Edinburgh be ſuffragans to the Archbiſhop of St Andrews and his ſucceſſors, and in reſpect of their many and weighty affairs, that they continuallie aſſiſt the Archbiſhop of St Andrews, et reipſa quaſi ſupplendo locum cancellarii; and that the biſhops of Edinburgh have precedence of order, and give vote in parliament and public conventions immediately after the archbiſhops of St Andrews and Glaſgow, and before the reſt of the biſhops of this kingdome. 3o. Ordaines the Biſhop of Galloway to be ſuffragan to the Archbiſhop of Glaſgow, and to be next to Edinburgh, notwithſtanding any act or cuſtome to the contrare. 4o. Follows the conſtitution of the chapter of Edinburgh, to conſiſt of a deane and twelve prebends, and the deane to be the principall miniſter of St Geils, and the reſt, as is contained in the charter, to be the conſtant prebendars and chapter of the ſaid biſhoprick in all time coming. [They are the principall miniſters of the churches of the Grey Friars, of the Colledge Kirk, the principall miniſters of the South Eaſt pariſh of Edinburgh, and the miniſters of the churches of Halyroodhous, Libbertoun, Tranent, Stirling, Fawkirk, Linlithgow, Dalkeith, Haddingtoun, and Dumbar, and their ſucceſſors.] 5o. The power to the biſhop to have a ſeall for private deeds, and another chapter ſeall for deeds requiring their conſent. 6o. The gift, grant, and mortification to the Biſhop of Edinburgh and his ſucceſſors (for their rent and patrimonie, and to uphold ſuch ane honourable office and burden), of the houſes, precincts, and yairds of Halyroodhous, [with the houſes and tenements thereof lying contigue and adjacent,] and formerlie belonging to the Abbay of Halyroodhous, with the right of ſuperioritie, fewfermes, and rents perteining of old thereto, viz. the

baronies

baronies of Dunrode, Oldhame, alias Whitekirk, Fuirde, &c. with the right and priviledge of regalitie within the lands and baronie of Whitekirk, and all other priviledges, profeits, and immunities belonging thereto. Item: of the pariſhes there rehearſed, with the manſes, gleibs, church lands, fruits, rents, and dewties perteining thereto, and haill teynds, parſonage and vicarage of theſe churches, and other churches and teynds belonging to the ſaid abbacie, with all patronages perteining thereto. Item: of the abbacie of New Abbay, with all lands, baronies, churches, teynds, patronages, temporalities, and ſpiritualities thereof, &c. The charter containes ane erection of all the foreſaids lands, baronies, and others founded and dedicate, and to be founded and dedicate to the temporalitie of the ſaid biſhoprick, in ane free baronie, with the libertie and juriſdiction of a free baronie within the haill bounds thereof as any other free baronie within the kingdome; with the gift and priviledge of baron courts, and the eſcheits, amerciaments, and other commodities, &c.; and ordaines the biſhop and his ſucceſſors to be immediate ſuperiors to the vaſſells of ſaids lands, baronies, and other temporall lands, in place of his Majeſtie and his ſucceſſors; and that the biſhops ſhall have the ſole and undoubted right of ſuperioritie of the vaſſells and their airs, of, and within the abbacies of Halyroodhous and New Abbay, whom they may enter by brievs or precepts of clare conſtat, &c. The charter of mortification containes ſundrie other clauſes, conditions, and proviſions, which no further concern the archbiſhoprick of St Andrews, whereof we are treating, than as is above ſet down. "Tenendas omnes et ſingulas dictas terras, baronias, ſuperioritates, eccleſias, decimas, patronatus, &c. praedicto epiſcopo de Edinburgh, ejuſque ſucceſſoribus;" of his Majeſtie and his ſucceſſors in free benefice and biſhoprick, with all and ſundrie benefices, priviledges, honours, dignities, &c. perteining thereto, "prout jacent in longitudine," &c. Reddendo

to the king and his ſucceſſors, " fidelitatem, homagium pro temporalitate " dicti epiſcopatus," at the entry of each biſhop, in the ſame manner as other biſhops of the kingdome of Scotland, according to the act of parliament thereanent. Item: ſuſtaining the miniſters, and paying the prebendares therein named, the ſums therein expreſt. " Ac etiam faciendo " et praeſtando fidelis epiſcopi officia vigilando, et diligenter ac fideliter " attendendo eccleſiis dictae dioceſis eorum curae commiſſis, prout illi " Deo et nobis noſtriſque ſucceſſoribus deſuper reſpondebunt." Follows his Majeſtie's promiſe to ratifie the erection in his next enſuing parliament, which it is well known he was never able to perform; but his late Majeſtie King Charles the ſecond his ſon hath graciouſlie done it ſince.

CHAPTER

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER X.

OF OTHER BENEFICES ANNEXT OF LATE TO THE ARCHBISHOPRICK OF ST ANDREWS.

THE primitiall ſee of St Andrews was of old endowed with large and ample priviledges; great revenues and many lands were beſtowed thereupon and mortified thereto; [as alſo many abbacies and priories in Scotland depended upon, and were within the archbiſhoprick of St Andrews of old; and they are theſe.

The priorie of St Andrews
The abbacie of Kelſo
Dumfermling
Ardbroth
Halyroodhous
Scoon
Lindores
Cambuſkenneth
The abbacie of Dryburgh
Balmerinoch
Couper
Newbottle
The priorie of Coldinghame
Reſtermot
Maij
Pittenweyme
The priorie of Portmollock.]

This

This ſee hath alſo been ſubjected to conſiderable loſſes and diminutions in its rents and fruits, of all which we have been giving ſome accompt in the foregoing pages, which if it be ſcant and lame, and not ſo full as need were, let it be imputed to the want of information.

Of late this ſee hath been conſiderablie aggrandized by the acceſſion of other eccleſiaſticall benefices annexed thereto and incorporate therewith, which are theſe following. The priorie of St Andrews, the archdeaconrie and vicarage of St Andrews, and the proveiſtrie of Kirkheugh; of which in order, and of the time, manner, and occaſion of their annexation.

SECTION I.

OF THE PRIORIE OF ST ANDREWS, [ITS FOUNDATION, ORDER, AND NUMBER OF THE CHANONS THEREIN, ETC.—THE PRIOR'S DESIGNATION, ENSIGN ARMORIALL, ETC.—OF THE HERITABLE BAILLIE OF THE PRIORIE.]

THE regiſter of the monaſterie of St Andrews, formerlie mentioned chap. vii. ſect. i. after all my ſearch ſeems to be quite loſt. Since it is ſo, and that our hiſtorians are ſo ſparing on the head, and other adminicles being wanting, my accompt of this benefice muſt needs be very imperfect.

The monaſterie was a colledge of chanons, veluti ſenatus quidam eccleſiae, dicti canonici, et vulgo canonici regulares, a canone, ſeu regula, grace Κανων, quia communem quandam vitae regulam et inſtitutum obſervant; ideoque dicuntur vivere canonice. Vel a canone, i. e. penſione annua, quae iis pro ſtipendio et mercede diſtribuebatur; habent et hi ſuos

ſnos praepoſitos, qui praefecti, decani, &c. ſecundum cujuſque eccleſiae conſuetudinem, nuncupantur. Duarenus, de Sacris Eccleſiae Miniſtris, lib. i. chap. 18.

To enquire into the foundation and erection of the priorie and monaſterie of St Andrews, our authors have not given us ſo much light upon the matter as to give us ſufficient information and ſatisfaction. Leſlie, lib. vi. p. 209. Edin. edit. ſpeaking of Alexander the firſt, ſays only, Facultates quoque caenobii divo Andreae ſacri auxit, unde fundatoris (ut ſic loquar) ibi nomen eſt conſecutus. And as to the time, all we can make of his teſtimonie is, that it behoved to be betwixt 1109 and 1120; or according to others, 1124. Idem in King Malcolme the fourth, p. 214. His bellis feliciter confectis, ac monaſterio Sti Andreae honorifice exſtructo, nullis aut carnis illecebris retardari, aut amicorum perſuaſionibus induci potuit, quo minus caſtitatis voto obſtrictus maneat. And this about the year 1160. Hector Boethius, fol. 232, in Alexander the firſt, auxit quoque facultates ſacrae aedis divi Andreae, cum aliis quibuſdam praediis, tum eo agro cui nomen eſt Curſus Apri, ab apro immenſa magnitudinis, &c. Idem in Malcolme the fourth, Auguſtiſtiſſimi templi divi Andreae in Kilrewel (the old name of St Andrews), ſacri fundamenta jecit, canonicos divi Auguſtini pauculis quibuſdam agris, quorum reditibus ſacra tuerentur, donavit, fol. 279. Buchananus in Alexandro primo, Fanum Andreae ſatis antea dives, non modo donariis, ſed etiam agris auxit.

Notwithſtanding of all this we are ſtill left in the dark as to the erector and founder of this benefice, and the time of the foundation; for theſe kings were not the founders, by what theſe hiſtorians ſay, but onlie benefactors to the monaſterie then founded.

The ſage, Spotſwood, in whoſe road it more directlie lay to give accompts of the foundation of this benefice and of the time thereof, doth

clear the matter ſome, but little, better than the reſt. All he hath to the purpoſe is this, p. 35, that Robert, Biſhop of St Andrews, founded the priorie, and obtained to the citie the priviledge of a burgh royall; but directlie mentions not the year, onlie inſinuates that it was about 1120. Sir Thomas Hope, in his Short Inſtitutions, ſays expreſslie, that the Archbiſhop (it ſhould be Biſhop) of St Andrews erected the priorie himſelfe, and founded it out of the rents and fruits of his own benefice, or out of ſuch kirks as lay within his dioceſe, which before were of the chapter, thereby extinguiſhing the old chapter kirks, and making them patrimoniall to the priorie.

Dempſter, in his Apparatus ad Hiſtoriam Scoticam, p. 82, ſays, Monaſterium Sti Andreae fundavit epiſcopus, inſtante Roberto Keithio (ut ille corrigit) mariſchallenſis comitis filio; conditum hoc caenobium 1458. Whatever be of the firſt pairt of this alledgiance, yet that Dempſter ſhould here mean the principall abbay or monaſterie of St Andrews, which onlie now we have under conſideration, cannot be imagined, for all know that it is much ancienter than the age he aſſigns; and it is preſumed, that ſo great an antiquarie could not but know ſo much; and, therefore, it is rather to be ſuppoſed that he meant the houſes at St Andrews where the Black or Grey Friers reſided. And to alledge that it is likelie he did ſo, is not ſo abſurd; which being granted, it is difficult to refell him. See him in eod. lib. p. 75.

In the charter of union and mortification of the priorie of St Servan's Iſle, within Lochlevin, to St Leonard's colledge by Mr John Winrame, oeconomus of the monaſterie of St Andrews and the convent thereof, [and thereafter ſuperintendant of Fife], dated October 5, 1570, are theſe words: Quum manifeſtum ſit priorem et conventum monaſterii Sti Andreae, ab hinc retro in hodiernum diem, ad ſpatium circiter 500 annorum continuo patronos indubitatos fuiſſe prioratus inſulae Sti Ser-

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vane intra lacum de Levin ſitae, quoties ipſum prioratum vocari contigerit, &c. This is a teſtimonie very remarkable as to the antiquitie of the priorie of St Andrews.

At this great uncertaintie are we left for all theſe authorities as to the founder of this monaſterie, and the true time and year of the foundation thereof. [Yet David Camerarius, in his book de Scotorum Fortitudine, lib. iii. p. 69, ſays expreſslie, Monaſterium Sti Andreae in Fifa, ordinis Sti Auguſti fundavit Alexander primus.] And after all my enquirie for a diſcoverie, I conclude that Robert Biſhop of St Andrews was the founder, and that in the year 1120. (But I will not peremptorilie aſſert with ſome, that Stus Servanus (oft written Sernanus) was patrone of the ſame; but preſuming from the ſeall of the prioric and circumſcription thereon, St Andrew was undoubtedlie patrone) from which the Scoti Chron. commences the accompt of the priors of this monaſterie, lib. vi. cap. 49.

[After all this uncertaintie, I ſhall here inſert a charter which will clear the time of the foundation of the priorie of St Andrews, and of its firſt founder. The document is a fair, well preſerved originall charter, granted by King William, ſurnamed the Lyon (who began to reigne anno 1165, and did reigne till the year 1214), to the church and chanons of St Andrews, which document I have in my poſſeſſion. It ratifies and confirms the former gifts and conceſſions of lands, &c. made to the church by his predeceſſors, kings of Scotland, and other eccleſiaſtics and laicks after named; as alſo bears ſpeciall gifts of lands given by himſelfe. The reading of the charter is indeed very difficult, by reaſone not of its being ill written or any ways vitiate or worn, but of the many and now unuſuall contractions of many monoſyllables, and in words of moe ſyllables, and all the prepoſitions, &c. And as it is difficult to read, ſo the perfect underſtanding of it ſeems almoſt impoſſible

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to be had, becauſe the names of many of the lands expreſſed and mentioned in it are now ſo much changed into other names of more modern uſe and in cuſtome at this time, which have no affinitie in the etymologie and pronunciation with the old ones mentioned in the charter.

The charter after a ſhort direction and preamble runs thus: Williel-mus Dei gratia rex Scotorum, omnibus epiſcopis, abbatibus, comitibus, vice-comitibus, juſtitiis, baronibus, miniſtris, et omnibus fidelibus ſuis tam preſentibus quam futuris, ſalutem; ad hoc nos divina providentia in populo ſuo principes voluit eſſe, ut debeamus et velimus ipſi tanquam domino et creatori omnium ſubeſſe, et ſubditis noſtris non tam praeeſſe, quam prodeſſe, mala penitus extirpare, bonum non ſolum ipſi facere, verum et benefacientes adjuvare, proinde illuſtris regis David avi mei, nec non et patris mei Comitis Henrici, ſimul et dilecti fratres mei Malcolumbi, nec non et regis Alexandri, caeterorumque ſanctae eccleſiae fundatorum circa eccleſiae divina diligentia veſtigia ſequens; quaecunque dona, quaſcunque poſſeſſiones, vel redditus ipſi (deo inſpirante) vel piae memoriae Robertus epiſcopus, et ſucceſſores ſui, vel quaelibet alia eccleſiaſtica ſeculariſve perſona, ipſis concedentibus, Deo et eccleſiae Sti Andreae Apoſtoli, et canonibus ibidem Deo ſervientibus et ſervituris, dediderunt et conceſſerunt, ego quoque do et concedo, et pro ſalute animae meae, et praedeceſſorum et ſucceſſorum meorum, regia autoritate confirmo et quidem propriis duxi exprimenda vocabulis, viz. Ex dono regis David, eccleſiam de Forgrant, cum tofta ubi eorum ſunt aedificia, et cum decimis et rectitudinibus eccleſiae pertinentibus, de tota ſchyra de Forgrant, unam aquam in Bervie, cum tofta quae eſt juxta eccleſiam, et alteram toftam in eadem villa juxta Twede, unam toftam in Hadegtona, unam toftam in Clackmannan, et Boſchum in Clackmannam, tam ipſis quam hominibus ſuis, prout eis fuerit neceſſarium, transfretationem ad portum maris, ad navem reginae, ipſis et propriis hominibus ſuis et omnibus

rebus

rebus ſine naulo, decimam molendini de Lilleden, tractum unius retis in aqua de Perth cum propriis retibus meis, tres marchas de meo canone de navibus de Perth ſingulis annis ad veſtitum canonicorum, unam marcham de firma de Perth ad paſcha ad luminare eccleſiae, curiam quoque ſuam, cum libertatibus, immunitatibus, et quietudinibus placitorum et querelarum a praedeceſſoribus meis conſtitutis et conceſſis, ſicut liberius et honorificientius habet aliqua eccleſia vel eleemoſyna in toto regno meo, et libertatem quam dedit praedictus avus meus canonicis, ne aliquis manum arripiat ſuper illos, vel in terra ſua pro alicujus forisfacto, vel delicto, niſi pro illorum proprio, ſuperplenarium forisfactum meum.

Ex dono regis Malcolmi, fratris mei, demidiam carrucatam terrae de quo eccleſia de Forgrant dotata eſt, ſecundum diviſas perambulatas, et tractum unius retis in aqua de Perth cum propriis retibus meis, unam toftam in burgo de Muketh [videtur eſſe Innerkeith,] unam carrucatam terrae de Anacht, nomine Melgrechre, cum rectis diviſis ſuis, unam toftam in burgo de Perth, quae fuit Baldewini Loremer, cum Botha una vico de North apud caſtellum.

Ex dono vero piae memoriae Domini Roberti epiſcopi, eccleſiam de Lilleden cum terris et domibus intra burgum et extra, et decimis et redditibus capellae in omnibus rebus, et rectitudinibus eidem eccleſiae pertinentibus, terras autem iſtas, Barrunch, Struvithin, Gaſtuvinold, Dumkarakin, Ledokin, Strakines, et aliam Stradkines, pro commutatione Kinnes et Lechin, quas Keledei habent, Balehucca, Rodimanan, Pecutan, Balegola, cum Salina, Kinnaſtare, Kinamone, Drumſlach, Balemacduvegin, Egleſnemin, Balloden, Sconin, Kynymonith cum tota ſchyra et cum una tofta in Kilrimond, tres toftas in burgo Sti Andreae, molendinum de Kilrimond, molendinum de Putakin, molendinum de Nidin, liberam vero prioris ſui electionem, et quemcunque capitulum

totum vel ejus ſanior pars elegerit, ipſe in eorum regionem ſublimatus ſubjectorum recipiat profeſſionem, hoſpitale etiam Sti Andreae in ſuſceptione hoſpitum pauperum peregrinorum, cum terris et poſſeſſionibus et redditibus eidem hoſpitali pertinentibus, viz. medietatem decimae carrucarum epiſcopi, et vaccariarum, et bericariarum, et porcariarum, et equariarum de parochia Stae Trinitatis, et medietatem de canone epiſcopi ejuſdem parochiae, et totam decimam de canone epiſcopi de Bladebobyſchyra, et de aliis provinciis et locis undecunque fuerit allatum vel adductum ad Stum Andream, carrucatam etiam terrae quam Simon filius Michaelis et haeredes ſui praedicto hoſpitali dederunt et conceſſerunt per eaſdem diviſas quas praefatus Simon cum propriis hominibus perambulavit, terram etiam de Kinlekin quam avus meus Rex David praedicto hoſpitali dedit et conceſſit pro ſalute animae ſuae in perpetuam eleemoſynam, et ſicut per chartam regis David prohibitum eſt quod praedicto hoſpitali ab aliquo diviſum fuerit, ſuper forisfactum meum nullus detineat, communitatem etiam in paſchuis de Fife pecoribus hoſpitalis, firmam etiam pacem meam procuratoribus hoſpitali deputatis nequis iis facere preſumat in tota terra mea, vel debitum qualitercunque injuſte detineat, exteras etiam poſſeſſiones quas praefatum hoſpitale juſte tenet et poſſidet.

Ex donatione autem venerabilis Arnaldi epiſcopi, eccleſiam de Derveiſin (forte Dumfermline) cum terris et decimis et oblationibus eidem pertinentibus, et unam carrucatam terrae, capellam etiam de Foulis, cum omnibus pertinentibus ſuis, eccleſiam de Portmoath, cum terra, et cum omnibus eidem pertinentibus, decimam de omnibus placitis ſuis, tam ſecularibus quam eccleſiaſticis, et de omnibus releviis ſuis, totam oblationem altaris, cui deſerviunt, integram illibatamque et ſine omni partium diſtributione, quietam liberamque, terram etiam totam de Kilrimund

mund quae eſt a vico qui eſt inter burgum et novum hoſpitale uſque ad pontem Stermolin, et inde ſicut fluvius Kinnes cadit in mare et per viam qua itur a burgo ad eccleſiam tendentem in mare.

Ex donatione autem Domini Ricardi, epiſcopi, eccleſiam Stae Trinitatis in Kilrimund parochialem, cum terra Kindargog, de qua praefata eccleſia dotata eſt, cum capellis in tota ſchyra de Kilrimund, cum tofta in burgo, et domibus in ea aedificatis, ſicut Matthaeus archidiaconus melius et liberius eas tenet, cum decimis et oblationibus, et omnibus rectitudinibus praefatae eccleſiae juſte pertinentibus, tam de Scotis, quam de Francis, de Anglicis et Flandrenſibus, intra burgum et extra, terram etiam extra burgum in vico de North, apud Furcas et apud Turdaſche, capellam etiam de Hynchethore, cum omnibus eidem capellae juſte pertinentibus.

Ex donatione Matthaei archideaconi de Sancto Andrea, Roſinderach, cum rectis diviſis ſuis, et eccleſiam ejuſdem villae, cum omnibus eidem eccleſiae pertinentibus, et ea quae nobis inde debeantur.

Ex donatione autem cujuſdam militis nomine filii Hugonis filii Gillemichell Comitis de Fife, eccleſiam de Markinſh, cum una tofta ex orientali parte eccleſiae, et cum decimis et omnibus rectitudinibus eidem eccleſiae juſte pertinentibus.

Iſta igitur et quodcunque commodum praedictae eccleſiae beati Andreae Apoſtoli, et canonicis ibidem Deos ſervientibus et ſervituris, collata fuerint, libera et quieta eſſe ab omni exactione, decernimus; hanc igitur donationem et conceſſionem, piae memoriae Roberti epiſcopi, et piiſſimi regis David avi mei, et venerabilis patris mei Comitis Henrici, nec non et dilecti fratris mei regis Malcolmi, et aliorum fidelium, Ego Williel-mus Dei gratia Rex Scotorum regia authoritate confirmo, et ſigilli mei impreſſione conſigno, teſtibus Ricardo, epiſcopo de Sto Andraea; Andrea, epiſcopo de Katenes; Galfado, abbate de Dumfermline; Roberto, priore de

de Maii: Nichell, cancellario; Matthaeo, archdiacono; Ricardo, capellano; Dunecano Comite de Fife, Gillebrido Comite de Angus, Malcolmo Comite de Elchok, Waltero filio Alani, Roberto de Quinci, DD [David] Olifard, Gilliberto de Umphravilla, Patricio filio Comitis, Niel filio Willelmi, Ricardo Comin, Hugone Ridel, Alexandro de S. Martino, Hugone Gifard, Michell clerico de Berwie, Willielmo clerico de Kingor: Magiſtro Herberto, Stephano clerico, Ricardo clerico de Carel; Halano de Laſceles, Orm filio Hugonis, Gillechriſte de Fortivieth, Galfrido de Malevin, Gillemur de Venanore, Gilleberto de Kinroſs, Gilleberto Vicecomite de Dumferline, Allano filio de Symundi apud Dumfermline.

After the foundation of the monaſterie, the prior or coenobiarcha (never termed the abbot as in other abbays and monaſteries, becauſe, as ſome alledge, in all monaſteries erected at cathedrall churches the biſhop is abbot, or inſtead of the abbot), with the convent of chanons, had always the election of the biſhops of this ſee, having carried the power and facultie of ſo doing from the Culdees, the old electors, albeit they ſtruggled for it with the prior and chanons even in the election of William Lamberton to the ſee, near the end of the thirteenth centurie, and to that height, that in the end it tended to the ſuppreſſion of the Culdees and their order. Vid. chap. iv. ſect. 1. And thereafter the prior and chanons continued as a chapter to this ſee.

For the order of which theſe chanons were, they were of that of St Auguſtine, that is, regulars, which were obliged to live regularlie, whether they were monks, chanons, regulars, laicks, or clerks. This order of St Auguſtine, ſome canoniſts ſay, needed and required the papall declaration and confirmation. Theſe regulars were either Canonici, et dicti canonici regulares, ſin minus monachi, et fiunt vel paterna devotione, propria profeſſione, vel voti emiſſione. Haec profeſſio nihil aliud eſt quam certae

certae religionis ſolemnis promiſſio, qua quis ſe obſervatione certae alicujus monachalis regulae obſtringit, ſitque vel expreſſe, vel tacite; expreſſe, cum quis, poſt annum probationis, coram abbate, priore, aliove praelato, vel ab eo mandatum habente, ejus religionis, quam ſibi ipſe delegit, promiſſionem, univerſo conventu praeſente, habitum monachalem ſuſcipiens, in ſcriptis promittit continentiam ſervare inviolatam, praelato obedientiam, et ex regulae praeceptis debitam obſervantiam praeſtiturum, vitae conſuetudinem in melius mutaturum, bona omnia repudiaturum, cum quibus nec poterit papa diſpenſare, monachus enim nihil proprii habere poteſt, et ſine licentia praelati, ſi peculium habeat, monaſterio ſub abbatis ſui regula, reddere cogitur, aliter a communione altaris removetur, &c.

As to the number of the chanons of this monaſterie, ſome have thought that there was thirteen of them beſide the prior, ſub-prior, ſervants, and dependers: but I have found it far greater; for in a charter of the half lands of Craigtoun, anno 1567, the prior, ſub-prior, and other twentie-two of the convent ſubſcrive, and the ſame year fourteen only ſubſcrive another charter of the other half of the lands of Craigtoun; and in a charter of the lands of Lumbo, the ſaid year 1567, the prior, ſub-prior, and nineteen of the chanons ſubſcrive. In the charter granted by the prior and the convent to the proveiſt and citizens of St Andrews, of the prior aikers about St Andrews, anno 1555, the prior [or commendator James Earle of Morray, John Winrame] ſub-prior, [and David Guthrie tertius prior,] with other twenty-ſix, ſubſcrive, who were all chanons, and none of them witneſſes. But conſidering the number of theſe of the convent who were penſioners (whoſe letters of penſion I have ſeen), and comparing that with theſe ſubſcrivers, the ſame and the next year, I have found in all thirtie-four, beſides inferior ſervants; and of theſe thirtie-four of the convent fourteen turned preachers, after the reforma-

tion, at certaine kirks of the priorie, and ſome continued ſtill about the monaſterie till their death.

The priorie of St Andrews had theſe following benefices under and depending upon it as cells thereof. 1. The priorie of Maii, called prioratus Sti Aidani de Mayo. 2. The priorie of Pittenweyme. 3. The priorie of Lochlevin [Portmallock] now annexed to St Leonard's colledge. 4. The priorie of Monymuſk. The monks in all which were Auguſtinians, or regular chanons, as were theſe alſo of St Andrews.

Hector Boeth. lib. vi. fol. 109, ſpeaking of this monaſterie, among other things hath this: Si ad amplitudinem aedificiorum oculos converteres, nulli ipſum in Italia, Gallia, Germania, aut Albione in ea gloria ſecundum cenſeas, adeo regales magnificentiae, et praeclarae in eo virtutes fulgent. [And as to the monks and chanons, the ſame author ſaith, Fuere in eo [coenobio] a primaeva ejus conditione, primum ſacerdotes, Dei cultores, vulgo appellati, inde viri D. Auguſtini inſtituti (canonicos vulgus regulares vocat) et inter utroſque non tam eruditionis, quam probitiſſimarum virtutum cultu inſignes, &c.

The prior his ſtyle and deſignation uſed of old in charters was, N. permiſſione divina Prior Monaſterii Sti Andreae; ſometimes was added, eccleſiae cathedralis, et ejuſdem loci conventus. And after the reformation, inſtead of prior, it runs thus: Commendatarius perpetuus prioratus Sti Andreae, for then they were commendators only; [firſt, James Earle of Moray, and then (before the Duke of Lennox gote the priorie erected into a temporall lordſhip) Robert Stuart Biſhop of Caithneſs (after Earle of March, brother to Matthew Earle of Lennox:] but they were always ſtyled venerable Fathers in God, Lords Commendators, and the religious convent, &c.

The election of the prior of the monaſterie was, 1o. Canonice. 2o. Per viam Spiritus Sancti. 3o. Per viam ſcrutinii. Fordun de Prioribus Sti Andreae,

Andreae, lib. vi. cap. 49. et ſeq. where alſo, to their honour, it is alledged, that prior Sti Andreae eſt praelatus major poſt pontifices, et prior Sti Andreae, ex ſpeciali praerogativa, abbates Scotiae antecellit univerſos, ob honorem Scotorum mitiſſimi Andreae apoſtoli patroni, et protectoris regni, et ob dignitatem ipſius eccleſiae praecipuae et praelatae, univerſique regni Dominae, &c. Vid. chap. ii. ſect. 3. verba ultima. [And in anno 1452, and ever after, he is ranked in rolls of parliament and other writs before all other abbots and priors.]

The fruits and revenues of the priorie at preſent conſiſt in ſilver, fewdewties, victuall, rentalled teynd-bolls, tack-teynd dewties, capons, poultrie, &c. ſmall ſoums, nomine canae (interpret to be ward), the houſes and yairds within the precincts of the monaſterie, the teynds ipſa corpora of theſe 480 aikers about St Andrews, called the prior aikers (of old the convent's gleib), led in by the heritors and tenents themſelves. The yearlie rent of the priorie at preſent is as good, if not better, than that of the archbiſhoprick; and within a few years, at the falling of ſome tacks, it will be much better, [if ſome perſones do not ſacrilegiouſlie invade and acquire ſome teynds at preſent under tack; but in that caſe, caveat emptor.] I know few or no lands holden now of the priorie whoſe expreſs holding is ward; yet the baronie of Kyninmouth of old held ward of the priorie, but now it is holden blench of the crowne, the holding being changed while the priorie was a temporall lordſhip, in the Duke of Lennox his perſone, and by him diſponed to Sir Thomas Hope of Craighall.

All the lands of the priorie are compted to be within the archbiſhop's regalitie, and that before the king's mortification and annexation thereof to the archbiſhoprick, anno 1635, but not for the reaſone commonlie aſſigned, that all the lands of the priorie are in the golden charter that fixes and ſtates the regalitie; for it is not ſo as is evident, and by comparing

paring the mortification with the golden charter. It is true that the Lermonths of Dairſy as ſtewarts to the archbiſhop, uplifted the bloods of the inhabitants of the priorie; and the Earle of Crawfoord and his predeceſſors and deputes, the archbiſhop's ancient ſtewarts and baillies, have this priviledge over all the lands in the regalitie: but I diſpute not, if, conſequentlie, they have alſo right to the bloods in the baronie of Kyninmouth and proveiſtrie of Kirkheugh, although it be alledged they have been in uſe of uplifting thereof, and that his Lordſhip conſented not to the diſpoſition of that baronie, made by the Duke of Lennox to Sir Thomas Hope, and infeoftments thereupon; and that the baronie is not diſmembered from the regalitie. Item: that the Lord Lindeſay was infeoft in the bailliarie of the priorie by the king (there being no Archbiſhop of St Andrews for the time) before the Duke of Lennox was provided to the priorie, and the erection thereof into a temporall lordſhip, and ſo before Craighall's right from the duke.

As to the fines and mulcts for bloods within the priorie, ſome alledge that the prior and his deputes had never right thereto, though committed by the inhabitants of the priorie, becauſe the lands in the priorie are all within the archbiſhop's regalitie; and the ſtewart and baillie of the regalitie did uplift the fines for bloods from the inhabitants of the priorie, by virtue only of their gifts from the archbiſhop, of which gifts they never had any from the prior and convent before or ſince the reformation.

[Notwithſtanding this alledgiance, there was an heritable baillie conſtitute in the priorie of St Andrews, for Robert Stewart commendator of the priorie, and Biſhop of Caithneſs, by his charter dated March 16, 1577, did make and conſtitute Patrick Lermonth of Dairſy heritable baillie of the priorie of St Andrews, which King James the ſixth, by his charter under the Great Seall of Scotland, confirmed December 9, 1581,

and

and which was ratified by Ludovick Duke of Lennox, who then had the priorie ſtanding in his perſone and familie, to Robert Lord Lindeſay as heir to John Lord Lindeſay his brother, who had acquired or appryzed all the heritable offices from the Lermonths of Dairſy.

King James the ſixth, in the charter under the Great Seall, to Robert Lord Lindeſay of the lands of Ochterutherſtruder and Kirkforthor, and the ſuperioritie of the lands of Letham, and patronage of the kirk of Haddingtoun to Lord Lindeſay and his heirs, the king, with conſent of the priorie of St Andrews, diſpones the heritable bailliarie of the priorie of St Andrews to the Lord Lindeſay and his heirs. The charter is dated 5th April 1603.]

At the reformation, James Stewart, natural ſone to King James the fifth (thereafter Earle of Murray and regent of the kingdome), was commendator of this priorie, having ſucceeded to Patrick Hepburn, prior; and becauſe of his youth, Alexander abbot of Cambuſkenneth was appointed his coadjutor, and was then adminiſtrator of the monaſterie in ſpiritualibus et temporalibus pro tempore.

To him ſucceeded Robert Stewart Biſhop of Caithneſs, ſecond ſone to John Earle of Lennox (killed at Aven near Linlithgow, by the Hamiltons) and brother to Matthew Earle of Lennox the regent. This Robert was firſt created Earle of Lennox, and after reſigned that earledome, at the deſire of his grand-nephew King James the ſixth, in favours of Eſme Stewart, ſone to John Stewart Lord Aubigney, for which the king created him Earle of March; and after his death, the king gave the priorie to the Duke of Lennox, and erected the ſame into a temporall lordſhip in his perſone and familie, where it continued till the king bought it and mortified the ſame to the archbiſhoprick of St Andrews, anno 1635, ut infra.

The ſtate of this benefice and rentall thereof, at the generall aſſumption of rents of great church benefices in anno 1561, was given up thus.

The rentall of the priorie of St Andrews conſiſts of few-dewties, fermes, ſilver and victuall for the teynd-dewties out of the kirks perteining thereto, viz.

The Trinity kirk of St Andrews
Leuchars
Forgun
Cowper
Dairſy
Lathriſk
Kilgour
Scoonie
Kennoway
Markinche
Egliſgreige
Fordun in the Merins
Bourthie
Nigvie and Tarlane
Dull in Atholl
Longforgund
Roſſie in Gowry
Inchſture
Fowlis
Portmoog
Ahercrombie
Linlithgow
Haddingtoun
With the kirks of Binning and Preſtoun.

In money			L 2237 : 18
Wheat,	38 chald.	1 boll.	
Beare,	132 ——	7 ——	
Meale,	114 ——	3 ——	
Oats,	151 ——	10 ——	
Beans and Peeſe,	3 ——	7 ——	

The rent payed to the queene out of the ſuperplus of the thirds of this benefice was 1000 merks.

The priors of St Andrews carried for their enſigne armoriall, their proper armes, with a croſier per pale ſuppreſt of the field ſupported by two winged cherubs.

SECTION

SECTION II.

OF THE MORTIFICATION OF THE PRIORIE OF ST ANDREWS TO THE ARCHBISHOPRICK.

THE pious martyre King Charles the firſt, by his Majeſtie's charter of mortification under the Great Seall, of the date 21 May 1635, regni 11o. (in lieu of the churches and pariſhes beſouth the Forth, formerlie belonging to the Archbiſhop of St Andrews, and then latelie erected by his Majeſtie in the biſhoprick of Edinburgh, and in lieu of the commiſſariot of Edinburgh, and quots of teſtaments and other commodities thereof, and in compenſation and ſatisfaction of the right, title, and libertie of the commiſſariot and quots within the haill bounds of the new erected biſhoprick of Edinburgh, then renunced by the Archbiſhop of St Andrews in the Biſhop of Edinburgh his favours) Mortified and diſponed to John Archbiſhop of St Andrews and his ſucceſſors, all lands, lordſhips, baronies, churches, teynds, which formerlie perteined to the erected lordſhip of St Andrews, and to the benefice of the priorie in St Andrews, ſpiritualitie and temporalitie thereof (then acquired by his Majeſtie from the Duke of Lennox, and diſponed and renunced by his Lordſhip), to remain with the ſaid archbiſhop and his ſucceſſors. There is a ſpeciall enumeration of the lands ut infra, teynds, annuall rents, fruits, rents, and profeits thereof, which of old perteined to the priorie and abbacie of St Andrews, as the temporalitie, patrimonie, and propertie thereof. And all and haill the monaſterie and abbay place of St Andrews, with houſes, biggings, pairts, and pertinents, and all teynds, perſonage and vicarage, rents, profeits, and dewties of the pariſh churches of St Andrews, called Trinitie church, St Leonard's church within St Leonard's colledge, the church of Leuchars, Forgund, Lathriſk, Cowper, Scoonie, Kennoway, Markinche,

Markinche, Longforgund, Egliſgreige, Fordun in the Merins, Roſſie in Gowry, Bourthie, Nigvie and Tarlane, Dull in Atholl, Inchſture, Fowlis, Portmoog, Abercrombie, Linlithgow, Haddingtoun, Portincraig, and of the kirk of Kynnaird, which perteined to the abbacie and priorie of St Andrews as the ſpiritualitie thereof. Item: St Leonard's colledge founded within the citie of St Andrews, with all lands, houſes, biggings, yairds, pairts, pendicles, and pertinents thereof whatſumever, with the proviſion, nomination, and admiſſion of the principall other maſters and burſars of the ſaid colledge, as their places ſhould vaike by death, demiſſion, or deprivation, &c. With all right and title competent to his Majeſtie to the ſaid lands, baronies, churches, teynds, and others perteining to the priorie of St Andrews, whether ſpiritualitie, temporalitie, patrimonie, and propertie thereof. Alſo his Majeſtie mortifies and diſpones to the ſaid John Archbiſhop of St Andrews and his ſucceſſors, all and ſundrie ſuperiorities of any lands, baronies, and others perteining to the erected lordſhip and priorie of St Andrews, both ſpiritualitie and temporalitie thereof, with all caſualties, immunities, rents, benefices, and commodities thereof, both of propertie and ſuperioritie, with all rights, liberties, and priviledges perteining thereto, poſſeſt and enjoyed by the priors and convent of the ſaid abbacie and priorie of St Andrews, or by the lords of the erected lordſhip thereof, by whatſumever title or right in time bygone; which the king aſſigns, dedicates, mortifies, diſpones, and confirms to the ſaid Archbiſhop of St Andrews and his ſucceſſors, to remain with them as a pairt of the patrimonie of the archbiſhoprick for ever, notwithſtanding of the new annexation thereof to the crowne and its patrimonie, conforme to the late act of parliament, and notwithſtanding of any former act of annexation, other act, law, ſtatute, or conſtitution, made or to be made in the contrare, whereanent his Majeſtie diſpones for ever. Excepting furth of the ſaid diſpoſition and foundation, all

lands

lands and teynds contained in the contract paſſed betwixt the king and the Duke of Lennox, containing the reſignation of the ſaid lordſhip of St Andrews, viz. the teynds of the lands of Craig, Rynd, Balconzie, Kingſlaw, Segie, third part of broadlands of Lewchars, comprehending Moncur's lands, the mylnetown of Lewchars and the meadows thereof, Purſk, Nethermuires, Auldmuires, Kingſhaldie, Weſter Fettereſſo, and ſouth lands of Morton with the pertinents, lying in the pariſh of Lewchars. Item: the teynds of Weſter and Eaſter Pittarrows, Weſter Carnby and Auchinzeoch within the pariſh of Fordun in the Merins, diſponed heritablie and irredeemablie by the Duke of Lennox to David Earle of Southeſk and his airs, according to his rights made thereupon, to be holden of the king, and for payment of the dewties and under the conditions mentioned in the ſaids rights, dated Feb. and May 1629, and March 1634, and regiſtrate in the ſame month. And alſo excepting the right made or to be made by the duke, of the teynds of Portmoog to the Earle of Mortoun, upon the conditions contained in the ſaid right. Alſo excepting furth of the mortification the lands and baronie of Kynninmouth, the teynd ſheaves and pertinents thereof includit, comprehending the lands of Kynninmouth with the teynd ſheaves thereof, Balduny mylne and mylne lands thereof, and the teynd ſheaves of Arnydie, the lands of Laddedie and Lambies and teynd ſheaves thereof, the lands of Over and Nether Magaſk and teynd ſheaves thereof, all diſponed heritablie to Sir Thomas Hope by the Duke of Lennox, and ratified in parliament, to be holden in manner therein contained. Follows an aſſignation to the archbiſhop and his ſucceſſors, making them aſſignees in and to the foreſaid contract paſt betwixt the king and the duke upon the ane and other pairts, concerning the reſignation, right, and diſpoſition of the erected lordſhip of St Andrews, ſpiritualitie and temporalitie thereof, in his Majeſtie's favours, and in and to the few-

ferme rents and duties, teynds, teynd-dewties, and other rents and caſualties whatſumever of the ſaid erected lordſhip, in ſo far allenarlie as is diſponed by the duke to the king by the ſaid contract; and in and to the contract, haill heads, clauſes, articles, and contents thereof, conceived in his Majeſtie's favours, with all that may follow thereupon, and under the exceptions and reſervations therein contained holden for expreſſed in the mortification. Providing that the ſaid John Archbiſhop of St Andrews and his ſucceſſors, ſhall have no further right and power to apply any more of the fruits and rents of the ſaid erected lordſhip of St Andrews, now mortified to them, to their particular uſe and benefit, but only 10,000 merk Scots money of theſe rents; and ſhall be holden to expend the remanent rents and fruits thereof for building and repairing the cathedrall church of St Andrews yearlie, of all years and terms after the archbiſhop's uplifting theſe fruits and rents by virtue of the mortification, untill the cathedrall church be perfected and finiſht. And the church being finiſht, then and no ſooner, the archbiſhop and his ſucceſſors to have full power and libertie to uplift and intromitt with the haill rents of the priorie without any reſervation, but only upholding the cathedrall church in its fabrick, and ſerving the cure thereof, according to the cuſtome obſerved in other cathedrall churches. And that the cathedrall may be ſooner built, and the fabrick thereof maintained (in ſuo decoro), the king ordaines the archbiſhop and his ſucceſſors to make compt of the remanent fruits and rents of the ſaid erected lordſhip of St Andrews, above and beyond the ſaid 10,000 merks, to theſe his Majeſtie ſhould appoint. Further, it is ſpeciallie provided, that it ſhall not be lawfull to the archbiſhop nor his ſucceſſors, to make or grant any right, temporall or hereditarie, by infeoftment, tack, or otherwayes, of any pairt of the churches and teynds of the ſaid erected lordſhip and priorie of St Andrews, for a leſſer farm, quam valuata rata victualis

victualis et argenti ad quam eaedem valuatae ſunt, et valuatae erint; nor of any lands and baronies thereof, but only for payment of the old rentalled dewties; and if they doe in the contrare, his Majeſtie ordaines the ſame to be void and null, by way of exception or reply, without further proceſs or declarator. Finally, his Majeſtie promiſes to ratifie this mortification, foundation, and haill premiſſes, in all the heads and clauſes thereof, in his Majeſtie's next parliament in Scotland, ordaining that charter to be a ſufficient warrant to his Majeſtie's commiſſioner and to the eſtates of parliament for that effect.

SECTION III.

A ROLL OF THE LANDS CONTAINED IN THE CHARTER OF MORTIFICATION.

Northbank	p	Drumcarrow	p
Clermonth	p	Caſſindonald	p
Dunnork	p	Unthank	p
Balgove	p	Craigtoun	p
Stirkinneſs	p	Lumbo	p
Ballone	p	Balrymonth Eaſter	p
Kirklands of Cowper	p	Balrymonth Weſter	p
Poſſel of Stirkinneſs	p	Newmylne	p
The ward meadow, dowcatt, and ſwaird of Ballone	p	Langraw	p
Goſtoun	p	Prior-Letham	p
Denbrae	p	Innerbridge	p
Dranhead	p	Grange	p
		Stravythie	

Friertoun

Friertoun p
Kirktoun p
Pitlethie p
New and walk-mylne of Dairſie
Keithleck and Friers Flat p
Kirktoun of Markinche p
Kirklands of Markinche
Kilmuxe p
Yairdmylne p
Chaple-Ketle p
Newmylne p
Lawmylne p
Abbaymylne p
Prior'smylne p
St Andrew lands of Lundie p
Boniefield p
Prior-wall
Drem p
Pitmillie p
Boonfield p
Feddinch p
Balmbreich
Roſſieclero p
Pitfuthies
Ellenhill p
Ralton's croft in Crail p
Prior's croft there p
Abbay croft in St Andrews p
Ward meadow
Pitmillie meadow p
Beinſton's third of Lambieletham
Gueſts-hall yairds p
Barnſdaill yaird p
Cloyſter and ſenzie chamber p
Weſt Neife
Malthouſe
Beargirnell
Hortus gladiatorius p
Barne-yaird p
Houſes at the Abbay-gate
Yaird be-eaſt the tennis court p
Yaird above Haughſides p
The ſtorehouſe
Lands about St Andrews p
Tenements and yairds within St Andrews, on the ſouth ſide of the ſouth ſtreet, from the abbay-gate to the burne wynde
Pilmuire p
Inchſture p
Inchſhyra p
Little Lower p
Pitpenthies p
Chapletoun p
Kirklands of Bennachie
Haddo p
Bourtie
Priors girnells in Leith

Greigſtoun

Greigſtoun
Morieſtoun
Parklay p
Uchiltrie p
With the teynds of all theſe foregoing lands includit.
Item: many annuall rents furth of houſes and tenements within ſundrie burghs, and furth of twa houſes in Linlithgow; twa ſtables for twelve horſes, with bed and candles for the archbiſhop and his ſervants when reſiding there.
The monaſterie of St Andrews, houſes, orchards, mylnes, girnells, and viridairies thereof.
The teynds of the kirks of St Andrews, St Leonard, Lewchars, Forgun, Lathriſk, Cowper, Scoonie, Kennoway, Markinche, Longforgund, Egliſgreige, Fordun in the Merins, Roſſie in Gowry, Bourthie, Nigvie and Tarlane, Dull, Inchſture, Fowlis, Portmoog, Abercrombie, Linlithgow, Haddingtoun, Portoncraig, Kynnaird.

Note, That in this roll above written, all the lands marked with the letter p are contained in the preſent roll of theſe lands and vaſſells of the priorie, which hold ſuite and preſence to the lord prior his three head courts, holden yearlie in the hall of the archbiſhop's dwelling-houſe in the abbay of St Andrews, upon the third Wedneſdays of January, Aprill, and October reſpectively, where the principall ſuitors are called before all the reſt, thus:

The ſuite of { Pitmillie. Roſſieclero. Boonfield.

Note 2. That the preſent ſuite roll of lands and vaſſells contains theſe lands following, which are not in the king's charter of mortification, and conſequentlie not in the roll above inſert, viz. Kinninmouth, Balduny, Ladeddie, Over Magaſk, Nether Magaſk. But theſe of old held of

the proveiſt of Kirkheugh. Item: Strathtyrum, Wilkieſton, Baldarſtard. But theſe hold of the archdeacon of St Andrews. Item: Dewar'smylne, Clerkington, Morieſtoun in Lothian, Kirkland of Cowper, Klinkmylne, Cuningar, Kirkſide, Binnie, Kirkland of Tarlane (which with theſe holden of Kirkheugh, are alſo in the taxt roll 1617 and 1634). Item: Pyplett, Scooniehill, Fairnylands, Muiretoun, Radhelpie, Kenlowes Over and Nether, Fawſide, Kirkſide, Tarlane, Peeſehills, Byrehills, and Cathills.

[The noblemen who hold lands of the prior of St Andrews are,

Viſcount of Stormont for Friertoun.
Earle of Hadingtoun for Drem.
Lord Kinnaird for Roſſieclero.
Lord Burghly for Strikinneſs and Ballone.
Earle of Northeſk for Little Lowre.
Earle of Aberdeene for Haddow.]

SECTION IV.

OF THE BUILDINGS ABOUT AND IN THE MONASTERIE OF ST ANDREWS.

As to the buildings of the monaſterie of St Andrews before the reformation they were many, and ſome of them ſtately and magnificent, almoſt all of them now ruined. The moſt ancient of them was ST REWLE'S CHURCH, called vetus eccleſia, or vetus templum, a little, but handſome, antique edifice. The walls yet ſtand, and as is commonlie believed, was built near the end of the fourth centurie by Herguſtus King of the Pights, in St Regulus's days. It is built of a good large free-ſtone, bigger than any in the reſt of the buildings about the monaſterie. The chaple is built on the eaſt of the ſteeple, and ſtrutts and projects out upon it about two foot;

foot; which ſtrutting, with the allowance of the thickneſs of the eaſt gavell of the chaple, makes the chaple to be in length without the wall 31½ foot, the breedth 25 foot; whereas within walls the length of the chaple is only 26 foot, and the breedth 20 foot. It is of good aiſler work; and there are but 21 ſtones in the height, which yet will be near 31 foot. There are in it four windows in the ſide walls, two to the ſouth and two to the north, exactlie correſponding and over againſt other. The ſole of each window is about 12 foot from the ground; the height of the window is about five foot, and breedth ane foot and a half. The chaple hath a door to the eaſt about 24 foot high, and hath been above 9 foot wide. Juſt oppoſite to the eaſt door, in the body of the ſteeple, is another door on the weſt, of the ſame dimenſions; but this laſt has been built up, and only a leſſer door and entry left of 6 foot high and 4 in breedth. The chaple hath had at ſeveral times three roofes, as appears by the raggling in the body of the chaple eaſtward. It hath been a place extremelie well contrived and fitted for devotion and religious offices, and of old had a ſmall neat turret on the eaſt gavell, fallen long agoe.

ST REWLE'S STEEPLE, commonlie called the four-nooked ſteeple, ſtands cloſe adjoining to the chaple, making up the weſt gavell thereof, built at or near the time the chaple itſelfe was built. It is a piece of notable architecture, and is an equilateral quadrangle, each ſide being 20 foot without. It is ſtrongly built; 103 feet in height; and, ſince I remember, was well bound and ſtrengthened with great oak branders from the top near to the bottom, which are now gone and deſtroyed for ſome 30 foot down from the top, upon which ſtood of old a very ſlopping ſpire, not high. This ſteeple ſeems to have been of good eſtemie of old; for the chapter had the ſame, with St Rewle's chaple on the eaſt and another chaple on the weſt of the body of the ſteeple (but one entire work therewith) for their enſigne armoriall, and had the icon of theſe three all

joined

joined in one body upon their common ſeall, without any thing beſide but a pot or cornucopia, ſome mullets and flouriſhing; and the circumſcription was, Sigillum eccleſiae Sti Andreae Apoſtoli in Scotia. From the figure of the ſeall, which is acutelie oval, and the print and graving on it, and the raggling on the body of the ſteeple, it is evident and certaine that there was alſo a little church on the weſt ſide of the ſteeple cloſe and contiguous thereto; but leſſer, lower, and ſhorter than St Rewle's chaple, and ſteeper in the roofe; ſo that the ſteeple ſtood in the middle between twa chaples (all being one continued work), St Rewle's on the eaſt, and this other on the weſt, which is now quite demoliſht, and nothing known thereof but that it hath been; and it was much higher than that chaple of St Rewle on the eaſt of the ſteeple; and it had to the weſt a prettie turret, with a door to the ſouth, beſide the weſt entrie. The ſteeple itſelfe is yet in good caſe, except as to the binding branders above mentioned, which of late are much decayed, yea and ſacrilegiouſlie embezzled *.

The CATHEDRALL CHURCH, called ſometime the new church, or the conventionall church (as in the manuſcript book of the biſhops and archbiſhops of St Andrews), was built about 40 paces from this ſteeple, towards the north-weſt. This church was firſt founded by Arnold Biſhop of St Andrews, deſcended of the houſe of Arnot, [an honourable and ancient familie in Fife,] about the middle of the twelfth centurie, and was called Kilrewle in the time and preſence of King Malcolme the fourth, and was in building the time of fourteen biſhops, not being finiſhed till Biſhop Lamberton's time, who in the year 1318 completed the work, and dedicated the church with great ſolemnitie (giving the

* This building is now (1797) in the ſame ſtate as deſcribed by the Author, and is a very curious piece of architecture. It was of late freſh pointed, and had the ſtair-caſe and binding beams within it repaired, ſo that it ſeems now to be in better caſe than when Mr Martine wrote.—*Editor.*

the ſame day to the prior and chanons of St Andrews the churches of Dairſie and Abercrombie). So the church was 160 years in building; and conſidering the time it was demoliſht (viz. in June 1559), it ſtood entire 240 years; and from the foundation to the razing thereof (occaſioned by a ſermon of John Knoxes againſt idolatrie, preached at Craill to a giddy lawleſs multitude) was juſt 400 years.

There goes a tradition that there were collections made for this work not only through the moſt pairts of Europe, but alſo that many of the chanons were artizans, eſpeciallie maſons, and wrought at the work, which was no wayes inconſiſtent with their office; for Pope Pelagius monachis haec tria attribuit, quietem, orationem, et laborem manuum. Duaren. de S. Eccleſ. Min. p. 87.

This church, while it ſtood and was entire, had five pinnacles, and a great ſteeple on the top of the church. Of theſe pinnacles two ſtood on the weſt gavell, where was an entrie to the church, and were pretty and handſome, joined by a vault or pend, till they ſurmounted the roofe of the church, and then they divided into two little neat ſteeples. One of theſe fell about years agoe, immediatelie after the people, coming from a burial, had paſſed by under it, but without any ſkaith or hurt to any perſone in any kinde. The other ſtands yet entire, and with a ſmall expence might be ſecured for ages to come. They were in height from the ground 100 foot. In the eaſt pairt of that which yet ſtands, which is the ſouthmoſt of the two, are to be ſeen doores, to which they aſcend by little narrow ſtairs within the body, the doores ſerving as iſſues therefrom to ſo many galleries in the wall of the church, after the form of the church of Halyroodhouſe.

Upon the eaſt gavell of the cathedrall church, which is yet entire, there ſtand two other pinnacles or turrets, joined alſo in the body by a vault or pend, which ſerved as an eaſt light to the church, till they alſo

overtop the roofe, and then dividing into two, they aſcend into two ſeveral ſpires or pyramids; they are yet entire, and are in height from the ground 100 foot. On the weſt ſide of theſe are alſo to be ſeen three doores in each, for entries to the foreſaid little galleries, that were upon the inner walls of the church, which ſtood upon the inner ranges or rows of pillars, 16 foot within the outmoſt ſide walls. Of theſe pillars were ſixteen on each ſide.

At the place where the maine and croce church did meet there were four pillars which were greater than the reſt, ſomething eaſterlie of the midle of the church. Upon theſe great pillars ſtood the chief ſteeple of the church, erected a great deall larger and higher than any of the reſt; but that and the walls of the church, and the pillars whereupon it ſtood being totallie demoliſht, no accompt can be given either of the height or figure thereof, only the foundations of the pillars yet appear, and are eaſilie diſcerned.

The laſt ſteeple, turret or pinnacle, belonging to, and upon the church, ſtood upon the ſouth gavell of the croce church; but it is quite defaced, having fallen years ago. The foundation is eaſilie diſcerned by the rubbiſh [and holes in the ground where the foundations of the pillars were.]

The figure of the church was a croce, [that is a maine church ſtanding eaſt and weſt, and a croce church nearer the eaſt end than the weſt, both joined to make one church;] and when it was in its integritie was covered with copper, and ſet extreamlie well off at a diſtance when the ſun ſhined.

For the dimenſions of the cathedrall church take them as follows. The full length of the maine church from the eaſt gavell to the weſt gavell, including the thickneſs of both, is 370 foot of Engliſh meaſure; the length of that pairt of the ſouth wall yet ſtanding, which comes no farther

farther but to the ſide of the croce church from the weſt, is 200 foot (the juſt length of the pariſh churchyaird dyke, ſtanding in the middle of the town); the length of the croce church from ſouth to north is 180 foot. The breedth of the maine church betweene the two ranges of pillars is 30 foot, and betwixt ſouth and north ſide walls, including pillars and all betwixt them, is 65 foot.

The cathedrall church was well furniſhed with many fair, great, and excellent bells, which at the razing of the church were taken down and put aboard of a ſhip to be tranſported and ſold. But it is reported, and certainlie believed in this place, that the ſhip which carried off the bells ſunk in a fair day, within ſight of the place where the bells formerlie hung.

The cathedrall was burnt caſuallie anno 1378, and was repaired by Sir Stephen Pai the fifteenth prior, in tecturis, opere lapideo ligneo et plumbeo. Item: hic reedificavit duas columnas ex auſtrali parte eccleſiae juxta altaria Sancti Michaelis et Laurentii *.

Upon the weſt of the church there ſtood a LYCAEUM, where the famous Scotus his quodlibets were taught †.

The PRIOR'S HOUSE, commonlie of old called hoſpitium vetus. The old inns ſtood ſouth-eaſt of the cathedrall church. It hath been a great houſe;

* The ſtate of theſe ruins of the cathedral at preſent (1797) ſeems to be much altered. The ſtones (ſome of which are very ſoft) are greatly mouldered, and many of them quite demoliſhed. The three pinnacles, viz. the two on the eaſt end and the one on the weſt, are the moſt entire, the ſtones with which they are built being of a harder and cloſer texture than thoſe of the other parts of the building. The ſouth wall of the nave is alſo pretty entire. The caſt gavel is much mouldered, and in a few years will probably fall. The general appearance of the remains of this large building makes a curious contraſt with the entire ſteeple of St Rule's which ſtands beſide it, and which is vaſtly more than twice as old. St Rule's ſteeple is built of a much harder and more compact ſtone than the cathedral, and the maſonry is alſo much better. The architecture of St Rule's is not Gothic, the arches above the doors and windows being uninterrupted ſemicircles.—*Editor.*

† No veſtige of this building now remains.—*Editor.*

houſe; had a faire entrie by a large gate, which was near the eaſt wall of the ſpot of ground which is now the bowling-green; ſome of the walls and vaults are yet ſtanding. It was called alſo the manſe of the abbay, and was well repaired by Biſhop Lamberton. In this houſe of old the principall prior had his reſidence and dwelling; and ſometimes the biſhops dwelt there *.

The CLOYSTER ſtood juſt weſt from the prior's houſe, the Dortour only interſected, and is a quadrangle, and of old was the great mercat-place of that renowned faire of St Andrews, called the Senzie mercat, held and kept for fifteen dayes, and beginning the ſecond week after Eaſter, whereunto reſorted merchants from moſt of the then trading kingdomes in Europe, trade in this kingdome being then in its infancie. The place over the merchants ſtalls was covered, to defend them and their goods. The cloyſter is now turned into a little orchard, having the ſouth ſide wall of the church for a pairt of its fence. The four pairts of the cloyſter were covered by William of London the thirteenth prior †.

The SENZIE-HOUSE, ſenzie-hall, and ſenzie-chamber, called the ſub-prior's houſe, is a tolerable dwelling. It is yet entire, and containes ſundrie roomes, as hall and chambers, the charter-houſe, a cloſe ſtone room, a little old chaple, ſometimes turned into a ſtable. The room of old called the ſenzie-chamber, upon the ſouth end of the houſe, is now very much enlarged, and well rectified, being made a large room 80 foot in length, 20 foot in breedth; windows to the weſt, with a chimney in each end, to be a librarie houſe to St Leonard's colledge. It had no other name of old but camera clauſtra annexa; and Fordun adds, hanc priores

* This building is entirely demoliſhed; and the place where it ſtood is now converted into gardens.—*Editor.*

†. The coverings here mentioned are all deſtroyed. Againſt the walls, eſpecially on the weſt ſide of the quadrangle, evident marks remain of a kind of half roof or penthouſe.—*Editor.*

priores habere conſueverunt, et quam poſtea Willielmus a Londonia muro circumquaque vallavit. The cloyſter and this haill dwelling-houſe and yairds were all fewed out by the Duke of Lennox; firſt to Shevez, from whom William Balfour of Nyddie acquired the ſame, and now St Leonard's colledge hath made a purchaſe of the ſame from William Balfour's heirs, for the colledge uſe.

The DORTOUR, [i. e. the dormitorie of the monaſterie] ſtood eaſt of the cloyſter, and ſouth of the ſouth end of the croce church, betwixt the prior's houſe and the cloyſter, the eaſt wall whereof was the weſt wall of the dortour; and betwixt the dortour and the prior's houſe ſtood the VESTIARIE. But theſe three are now quite demoliſhed and ruined. The dortour, with the refectorie and magna aula hoſpitum, were all built by John Quhite the ſeventh prior, about the middle of the thirteenth centurie. Thereafter Willielmus de London the thirteenth prior, dormitorium ex omni parte ſubtus cum tabulis dolatis, ſuper cum plumbo ſumptuoſo veſtivit.

The REFECTORIE, or the convent's ſolemne dining-rowme, alias the FRATER-HALL, a large fair rowme, the north ſide wall whereof was the ſouth wall of the cloyſter. The weſt gavell of it was entire within theſe few years, having a large great light to the weſt; but the gavell is now defaced and put out of ken, being made a pairt of the eaſt ſide wall of St Leonard's colledge bibliotheck. The refectorie was in length 108 foot, and in breedth 28 foot; and on the eaſt end thereof there was a faire four ſquare rowme for copes and albs, &c. beſide the common veſtiarie. Theſe two rowmes had vaults under them; but for what uſe is not known, only it is conjectured theſe vaults were the monks or chanons their cells. They had entries and lights to the ſouth, and no where elſe. They are all defaced, and now converted into a better en-

cloſed, than laid, bowling-green. This refectoric was built by John Quhite the ſeventh prior, near the midle of the thirteenth centurie *.

The GUEST-HALL, called magna aula hoſpitum, ſtood within the precinct of St Leonard's colledge, upon the ſouth ſide of the utter cloſe thereof, one wall whereof is yet ſtanding, which is that whereto the butts are built. This rowme was appointed for entertaining of pilgrims and ſtrangers, who came here either for devotion or curioſitie of the relicts of St Andrew. Theſe were entertained upon the convent's charge fourteen days before their buſineſs and errand was enquired. And ſouthward of the gueſt-hall there ſtood other buildings, which are now all quite demoliſhed, and the ground turned into a fine yaird, preſentlie belonging to the principall of St Leonard's colledge. This hall was alſo built by John Quhite above mentioned.

The NEW INNS, hoſpitium novum, is the preſent houſe which hath belonged to, and been inhabited by the archbiſhops ever ſince the annexation of the priorie to the archbiſhop. It is very well in repaire, and of late much bettered than formerlie. It is thought this was the laſt building about the abbacie before the reformation; for it was built when King James the fifth was married to Magdalene, a daughter of the King of France, anno 1537. And it is reported, that ſhe being a tender ladie, the phyſicians chooſed this place and the abbacie of Balmerinoch, as having the beſt aers of any places in the kingdome, for her reſidence and abode. Yea the tradition alſo goes, that for the queen's reception and accommodation here, ſo many artificers were conveened and employed, and the materials ſo quicklie prepared, that the houſe was begun and finiſhed in a month. But in all appearance ſhe never came to

* What was the bowling-green is now converted into a garden, and not the leaſt veſtige of the building remains, except the north wall which ſeparates it from a garden on the north, the cloyſter being alſo converted into a garden.—*Editor.*

to it; for after her arrival ſhe firſt dwelt, and within a ſhort time died, at Halyroodhouſe, [within ſix weeks after her arrival in Scotland.]

The GRANARIE ſtood to the north-eaſt of the new inns, and was a great fence to it. Here the victuall belonging to the convent was kept. It was a large houſe, three ſtorie high; yet horſes went up and down with burdens moſt eaſilie, both to take on loads and to diſburden them. It was altogether demoliſht, except a piece of the north gavell and eaſt ſide wall, about thirtie years agoe, to repaire St Leonard's colledge ſouth rowmes.

The ABBAY-MYLNE ſtands yet entire, near to the granarie. It was at firſt built and deſigned by the prior and convent for their own uſe; and accordinglie uſed by them. The aqueduct or mylne lead, that carries water to this mylne, is near a mile long. This mylne now perteins to the citie of St Andrews, being fewed out to the magiſtrates, councill, and communitie, after the erection of the priorie, about years agoe, with the mylne-dame and water-gang, as the rights words it *.

The BREW-HOUSE ſtood cloſe by the mylne. Some of the rudera thereof are yet to be ſeen benorth the mylne.

The MALT-HOUSE, BEAR GIRNELL, PROMPTUARIUM, HORTUS GLADIATORIUS, BARNSDEALL-YAIRD, &c. are all mentioned and contained in the charter of mortification; but where they were, with the kitchen, cellars, uſtrina, and other officehouſes, is uncertaine: Yet I find them all mentioned in old writs, in the mortification, and by Fordun.

The CORNE BARNE, called now the teynd barne, a large, well floored, and lofted houſe, for threſhing corns or being a granarie, is this day in good caſe; and at the back and eaſt ſide thereof ſtand the walls of a tennis court. To the weſt and north of theſe lie many fair yairds of very good ground; ſome thereof the Lord Archbiſhop keeps in his owne hand for his owne uſe, and others he lets out to the inhabitants of St Andrews.

The

* The mill is ſtill entire, and in uſe.—*Editor.*

The CHAPTER-HOUSE, where the prior and convent chapterlie conveined, is ſo demoliſht that it is not known where it ſtood. Spotſwood, p. 34, ſayes of Biſhop Lamberton, who finiſht the cathedrall, that he adorned the chapter-houſe with curious ſeats and ceeling, and furniſht the chanons with precious veſtments, &c. After the reformation the chapter uſed to meet in the ſenzie-chamber, ut ſupra. Joannes de Gourie the twelfth prior, dying 1340, was buried in novo capitulo, Fordun. Whereby it appears there was ane old and a new chapter-houſe.

CAPELLAE DIVAE MAGDALENAE, ſituated within the monaſterie, is mentioned in a charter granted by the commendator and convent to David Peebles, uni ex fratribus, of a houſe and yairds, thus deſigned and bounded: Domicilium illud, cum hortulis eidem ex parte auſtrali adjacentibus, habens murum caenobii ad orientem, hortum A. B. ad auſtrum, hortum capellae divae Magdalene cum ipſa capella ad occidentem, et coemiterium veteris eccleſiae ad boream. The charter is dated 16 of April 1571.

The ABBAY WALL environs the monaſterie by one continued wall upon the north, eaſt, and ſouth, beginning over againſt the eaſt end of the cathedrall on the north ſide, and to the eaſt and round to the ſouth, till the walls of St Leonard's colledge yairds. This wall in length (without allowance for the rounds, turrets, ſquare projections, and ſtruttings out upon the wall) is about 870 Engliſh yairds, at three foot to a yaird. This wall is well built, of a good ſtone, about 22 foot high, and about 4 broad and thick. It was built by John Hepburne, prior of St Andrews, near 160 years agoe. The wall containes ſixteen round and ſquare turrets, neatlie protuberating from the wall. Every one of the turrets hath a nitch for a ſtatue; and it is like they were ſo pleniſhed at firſt, but now there are no ſtatues to be ſeen upon any of the rounds. On the eaſt pairt of the wall, at the ſhore of St Andrews, is this inſcription:

[No

* * * * * * * * * * * * * * * *

[No inſcription is now to be ſeen on this part of the wall; it is therefore to be regretted that Mr Martine had left this blank in the MS.—*Editor.*]

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The one half of the wall, i. e. from the beginning at the eaſt end of the cathedrall till the middle of the eaſt pairt thereof, i. e to the ſhoare or the abbay port, hath convenience to walk on the top of it, and is benched up and laid with handſome flaggs, as it were for that purpoſe. The other half may be alſo walked upon for its thickneſs; but not ſo convenientlie or ſafely, not being ſo guarded as the firſt half.

In the ſouth-eaſt angle of all the abbay ſtands a large faire round edifice, and would undoubtedlie prove a good pigeon-houſe, for which uſe it has been deſigned and fitted: but the deſign takes not effect.

The wall affords this obſervation to every eye, that the north and eaſt pairts thereof, higher in the foundation than the ſouth, are in a far better caſe than that pairt of it that looks to the ſouth, upon which the weather hath ſo ſeized, that in ſundrie places it looks extreamlie old. Of this wall, vid. Hector Boeth. lib. vi. fol. 109, [where he ſaith, ſpeaking of the abbacie of St Andrews, Caenobium noſtris diebus, opera et induſtria Joannis Hepburni coenobiarchae, muro undique pene quadrato lapide, permultis cum turribus et propugnaculis, circa abbatiam ducto, mirifice decoratum: Clauditis muris appendicem etiam (St Leonardi vulgo vocant) ubi novitii, et plures alii eorum aequales, ſub praeceptoribus tyrocinii rudimenta deponunt.]

The entrie to this monaſterie, at the eaſt end of the ſouth ſtreet of St Andrews, commonlie called the abbay-gate, hath been very ſtatelie and magnificent, being large, high, and well vaulted of old; only it is cenſured in this, that the avenue is not ſtraight from the ſtreet, but crooked and bended. Beſide this great and chiefe entrie to the abbey, the wall hath in it two other faire gates. One upon the eaſt ſide is a

common paſſage from the citie and abbay to the ſhoare; the other is on the ſouth pairt of the wall, and is the common entrie for carts with the teynd ſheaves of the prior aikers. It is cloſe to the teynd barne and teynd yaird.

I find alſo mention made of the INFIRMATORIUM CANONICORUM, which I conceive was an appartment for the ſeik in the monaſterie. And Spotſwood, p. 54, ſayes, that Biſhop William Lamberton died in the prior's chamber within the monaſterie. If that was in the prior's manſe, or the infirmatorium within the ſame, I know not; and if not, I cannot gueſs where it ſtood. Fordun is expreſs, that Biſhop Arnold died in this rowme. His words are, "obiit in infirmatorio canonicorum." Probably is meant hereby the Xenodochium, now St Leonard's colledge.

HOSPITALAGIUM monaſterii, were the buildings about the gueſt-hall, and was uſed in lodging pilgrims and ſtrangers, reſorting hither for devotion or curioſitie, vid. ſupra in gueſt-hall. Here died Gilbert the third prior, in the year 1168.

SECTION V.

OF THE PRIORS AND COMMENDATORS OF ST ANDREWS THEIR DEEDS PREJUDICIALL TO THE BENEFICE: AND OBITER OF OTHER BENEFICES DEPENDING THEREON.

THE prior of St Andrews had the precedencie of all priors and commendators in the kingdome; and the revenue of the priorie was very conſiderable and great, as appears by the ſtate thereof at the generall aſſumption of the rents of church benefices, anno 1561. See the end of ſect. 1. of this chapter. But ſince its firſt erection, in the beginning of the

the twelfth centurie, theſe acts have been done prejudiciall to the ſtate of the benefice, to omitt the many penſions given out of the priorie at the reformation, which are not ſo to be reckoned upon, being but temporarie for the penſioners lives, and are now all fallen in again thirtie years agoe; alſo to paſs the proviſions granted to miniſters in all the prior churches and augmentations thereof.

10. The abbacie of Pittenweyme, alias prioratus inſulae de Sancto Maio, with all the lands belonging thereto or holden of the ſame, belonged once to the priorie of St Andrews, viz. Pittenweyme, Anſtruther Weſter, Fawſide, Lingo, Pittother, Grangebrigge and Grangemuir in Fife, and Rind Eaſter and Weſter in Perth, and the Iſle of May, which William Fraſer Biſhop of St Andrews firſt acquired from the Abbot of Reading in England, and gave to the prior and chanons of St Andrews; who, at the erection of the priorie of Pittenweyme, beſtowed thereupon the ſame iſle. The prior and chanons of St Andrews were always ſuperiors and patrones to Pittenweyme priorie, which was a cella obedientiaria ab eo dependens; conſequentlie this was no great loſs to the priorie of St Andrews.

20. At the erection of St Leonard's colledge, anno 1512, founded by Alexander [Stewart] Archbiſhop of St Andrews, and John Hepburne prior of St Andrews, both the colledge precinct and the lands belonging thereto, viz. Kenlowes Over and Nether, with the perſonage and vicarage teynds thereof, Fawſide, Rhadhelpie (conſiſting of 63½ aikers), the new ward betwixt Lambieletham and Newgrange, Gokſtoun mylne and Craig mylne, Pukie, and other lands and ſuperiorities of tenements in and about St Andrews, were all given off the priorie and diſmembered therefrom.

30. Shortlie after the reformation began, Mr John Winrame ſub-prior of St Andrews, and prior of St Servan's iſle in Lochlevin, in the year 1561,

1561, gives, confirms, and unites to St Leonard's colledge and principall and ſtudents there, the ſaid priorie within the iſle, with the baronie of Kirkneſs, Auchmuire, Ryaly and teynds thereof includit great and ſmall, and the vicarage of Portmoog, with certaine annuall rents furth of Markinche Weſter, Auchmowtie, and Balchriſtie, all which formerlie belonged to the priorie of St Andrews.

4o. While the priorie of St Andrews was an erected lordſhip in the perſone and familie of the Duke of Lennox, and before it came to be mortified to the archbiſhoprick, it ſuffered theſe following loſſes, 1o. The Duke of Lennox ſet in tack to the Earle of Dalhouſie all the teynds of the pariſhes of Markinche and Kennoway for the tackſman's lifetime, and for the lifetime of three airs dewly ſervit and retourit to him, and nineteen years thereafter; yea and this tack is ſince prorogate for ten years longer by the commiſſioners of plantation. And how conſiderable theſe teynds in that tack are, will appeare by taking notice, that in the taxt-roll of the priorie of St Andrews, anno 1617, they are eſtimate to 57 chalders and 14 bolls; and in 1634, at the taxing of the priorie, David Balfour, who had right to the greateſt pairt of theſe teynds, confeſſed them worth 46 chalders, being preſent. 2o. The duke ſet other tacks of the teynds very prejudiciall to the benefice, as of the teynds of Ballegerno, &c. But it is ſuſpected that moſt of them are near fallen, which would be found upon a ſtrict ſearch. 3o. James Duke of Lennox being heritable lord of the erected lordſhip of the priorie of St Andrews, diſpones therefrom the baronie of Kinninmouth, comprehending the lands of Kinninmouth with the teynds, Balduny mylne with the mylne lands and the teynds thereof, and of Arnydie, the lands of Lambies, Ladeddie and the teynds, Over and Nether Magaſk, and Balmakine meadow with the teynds, to Sir Thomas Hope of Craighall the king's advocate, and his airs irredeemablie, to be holden of his Majeſtie in free blench,

blench, whereas they held formerlie ward of the prior of St Andrews. 4o. The Duke of Lennox at the ſame time gave right to the teynds of Portmoog to William Earle of Morton theſuarer, and his airs and aſſignees. 5o. Item: before the King's mortification of the priorie, the Duke of Lennox diſponed to David Earle of Southeſk and his airs, heritablie and irdeemablie, the teynds of theſe lands, viz. Craigend, Balcoonzie, Kingslaw, Segie, third pairt of Broadlands, comprehending the lands called Moncur's lands, Mylnetoun of Lewchars with the meadows, Purſk, Nethermuirs, Auldmuirs, Kingſhaldie, Weſter Fetters, and South lands of Mortoun with the pertinents, lying in the pariſh of Lewchars, the teynds of Eaſter and Weſter Pittarrows, Weſter Carnby and Auchinzeoch in the pariſh of Fordun in the Merins, to be holden of the king for payment of the dewties, and under the conditions, expreſt in the rights made to the Earle of Southeſk thereupon, dated Feb. and May 1629, and 3 March 1634, regiſtrate in the books of ſeſſion 29 March 1634.

SECTION VI.

AN ACCOMPT OF THE PRIORS OF ST ANDREWS FROM FORDUN'S SCOTI CHRONICON, TILL THE TIME OF KING JAMES THE SECOND.

I. ROBERTUS prior de Scona, ad monaſterium Sti Andreae per Robertum epiſcopum ejuſdem eſt vocatus, ſtetit prior annis 22. Obiit anno 1142.

II. Walther us, Cantor Sti Andreae, prior annis 24: deinde valetudenarius loco ceſſit, anno 1166.

III. Gilbertus, canonicus ibidem, prior annis 2. Obiit in hoſtilagio monaſterii, anno 1168.

Idem Waltherus convaleſcens in officium rediit, et obiit anno 1200.

IV. Thomas, ibidem ſub-prior, vir totius religionis exemplar. anno 1211, prioratum reliquit, factis in Cupro monachus.

V. Simon, canonicus ibidem; hic prioratum reliquit, anno 1225, poſtquam rexiſſet 14 an. et prioratum de Lochlevin ſuſcepit.

VI. Henricus de Norhame, canonicus ibidem, ſtetit prior an. 11. et tandem renunciavit, anno 1236.

VII. Joannes Quhite, ſimiliter canonicus, ſtetit annis 22: aedificavit dormitorium, refectorium, et aulam hoſpitum: obiit anno 1258.

VIII. Gilbertus ejuſdem domus, vir religioſus, non eminenter literatus, ſtetit an. 5. Obiit anno 1263.

IX. Joannes Hadingtoun ejuſdem domus camerarius, ſtetit prior an. 40. menſibus 3. Obiit anno 1304.

X. Adam, viz. Machane, canonicus ejuſdem domus, et pro tempore Sti Andreae archidiaconus; hic erat canonice electus, et ſtetit prior, an. 9. Obiit anno 1313.

XI. Joannes de Forfar, canonicus ibidem, et tunc temporis vicarius de Lochriſe, et camerarius D. Willielmi Lamberton epiſcopi Sti Andreae, per viam Spiritus Sancti prior eſt electus. Hic aedificavit cameram clauſtro annexam, quam priores habere conſueverunt, et quam poſtea Willielmus a Laudonia muro circumquaque vallavit. Stetit prior an. 9, diebus 34. Obiit anno 1321.

XII. Joannes de Gowry, camerarius monaſterii; hic minus cautus in loquendo, tamen cum magna peritia rexit; ſtetit prior an. 18. Obiit 1340; et ſepultus eſt in novo capitulo.

XIII. Willielmus de Laudonia, monaſterii ſub-prior, electus eſt prior per viam ſcrutinii. Hic dormitorium ex omni parte, ſubtus cum tabulis dolatis, et ſupra cum plumbo, ſumptuoſa tectura veſtivit. Veterem eccleſiam, (i. e. ſacellum D. Reguli) cameram orientalem, quatuor partes clauſtri,

clauſtri, auſtralem partem refectorii, et alia aedificia tegebat. Velum magnae eccleſiae inter altare et chorum, tempore quadrageſimali expanſum, artificioſo opere compoſitum, diverſis imaginibus et beſtiis ſubtiliter conſutum, ſumptibus monaſterii fieri demandavit. Novam uſtrinam conſtruxit. Eccleſiam de Roſſiecherath reaedeficavit. Rexit monaſterium an. 14. Obiit anno 1354.

XIV. Dom. Thomas Biſſet, nepos Thomae Biſſet comitis de Fife, ſubprior, 12 Aug. per ſcrutinium eſt electus prior. Stetit an. 9, et proviſione honeſta ſibi ordinata, cum conſenſu Gulielmi Landallis epiſcopi, et fratrum, prioratum reſignavit anno 1363.

XV. Dom. Stephanus Paj, ſub-prior, electus eſt prior per viam Spiritus Sancti, et per dictum dominum epiſcopum, confirmationem, et munus benedictionis accepit. Magnam eccleſiam, infortunio caſualis incendii tempore ſuo combuſtum, anno ſciz. 1368, in tecturis et opere lapideo, ligneo et plumbeo, infra ſequentis anni ſpatium reparavit; et duas columnas a parte auſtrali eccleſiae, juxta altaria S. S. Michaelis et Laurentii, reaedeficavit. Electus eſt ad epiſcopatum Sti Andreae poſt obitum Willielmi Landallis, ſed Walterus Trail fuit inauguratus. Stetit prior an. 21. et obiit, anno 1385.

XVI. Robertus de Monte Roſarum, monaſterii canonicus, et prior lacus de Levin, et officialis Sti Andreae, praedicator egregius, electus eſt prior. Occiſus erat a Thoma Platar, correctionis aſpernatore in clauſtro, dum dormitorium aſcenderet. Thomas autem captus fuit infra biduum, et carceri mancipatus, pane et aqua nutritus, brevi moritur, et in ſterquilinio ſepelitur. Hic Robertus prior extruxit novum opus in corpore magnae eccleſiae, uſque ad tigna et tecturas. Stetit prior an. 13, et obiit anno 1393.

XVII. Jacobus Biſſett, canonicus monaſterii, et licentiatus in decretis, factus fuit prior; navem magnae eccleſiae, et clauſtrum ex omne parte tignis

tignis et tecturis ſolemniter conſtruxit; chorum inſtallavit et clauſtrale tetragonum, tam tecturis, quam pavimentis, decenter reparavit. Totum etiam monaſterium, et ſingulas ejuſdem officinas, &c. cum granariis, molendinis, uſtrinis, porcinis, horreis, et boſtaribus redintegravit, et aulam hoſpitum quam in columnis et feneſtris vitreis, cum binis ejuſdem cameris, honorifice perfecit. Curiam totius monaſterii interiorem et exteriorem pavimentis polivit. Omnes eccleſias ſuas commenſales et alias quaſcunque monaſterio annexas, in ſtructuris et veſtimentis decenter refecit. Eccleſiam forinſecam materialibus decorans ornamentis, et conventualem ſpiritualibus inſtituens documentis, obiit in camera Prioris, anno 1416. Stetit prior annis 23.

XVIII. Dom. Willielmus de Camera, monaſterii ſub-prior, per viam Spiritus Sancti fuit electus prior, at Roma rediens, lue correptus obiit anno 1417.

XIX. Dom. Joannes Lyſtar, canonicus monaſterii, et licentiatus in decretis, per Benedictum XIII. Papam ſucceſſit.

XX. Dom. Jacobus de Haldenſtoun, monaſterii canonicus, electus eſt prior, et ſtetit per annos 24. obiit anno 1443. Hic Gabellum orientale eccleſiae una cum arcuali volta ejuſdem conſtruxit. Eccleſiam monaſterialem, et mira et ſpectabili pulchritudine, tam in ſculpturis ſtallorum, quam in picturis imaginum decoravit. Navem eccleſiae, tarquam vacuam, amplam et ſolitariam ſynagogam, luminariis vitreis per totum, una cum conſtructione altarium, imaginum, et ornamentorum, et politis pavimentis decenter perluſtravit. Reveſtiarium cum reliquiis et earum reparationibus et clauſuris perornavit. Inferius capitulum pavimentis complanavit. Pulchrum palatium, infra curiam hoſpitii prioris, cum decentioribus oratorio et camera inibi ſituatis, et domeſtica maneria in ſuis locis prehendinalibus, ſcil. Ballone, Pilmor, Segie, Kynmoth, a fundamentis reaedeficavit: Inſignia paſtoralia, viz. mitram, bacculum, et annulumi proribus impetravit.

XXI.

XXI. Willielmus anno 1452. He is a witneſs in the charter granted by King James the ſecond to Biſhop James Kennedy, ut ſupra, chap. vii. ſect. 2. where the charter is inſert verbatim.

SECTION VII.

OF THE ARCHDEACONRIE OF ST ANDREWS.

ARCHIDIACONUS et archilevita reperuntur in primitiva eccleſia; ejus munus apud Prudentium (citat. per D. Spelman) ſic deſcribitur:

" Hic primus e ſeptem viris
Qui ſtant ad aram proximi,
Levita ſublimis gradu
Et caeteris praeſtantior.
Clauſtris ſacrorum praeerat,
Coeleſtis arcanum domus
Fidis gubernans clavibus,
Votaſque diſpenſans opes."

De inſtitutione archidiaconi, ſic Hieronymus, in epiſtola ad Evagrium, diaconi elegebant de ſe quem induſtrium noverint, et archidiaconum vocent. Inferiore autem ſaeculo eovacabatur ad hoc munus, qui prae caeteris antiquior fuit. Conſtantinopoli autem eligebatur, nec antiquior, nec e diaconis, nec per diaconos, ſed per ipſum imperatorem ex ſex catacoelorum ordine, i. e. e rectoribus ſex principalium eccleſiarum; ſed hic palatinus fuit, non eccleſiaſticus, clerumque palatii tantum regebat, non eccleſiae, quae ſuo tunc caruit archidiacono. Spelman.

Archidiaconus eſt vicarius proximus epiſcopo, omnem ſollicitudinem et curam, tam in clericis, quam in eccleſiis earum, cognitionem et ordinariam juriſdictionem habens.

Ejus officium eſt omnia eccleſiaſtica officia, ut rite expediantur, providere; acolythos ordinare, et eorum officia dividere; vaſa eccleſiae cuſtodire; de tertio in tertium annum dioceſin et eccleſias epiſcopo ſubjectas, et propriam parochiam ſingulis annis, viſitare; quae emendatione egent corrigere; promovendos ad ſacros ordines, et beneficiis eccleſiaſticis praeficiendos examinare, poſtea eos epiſcopoſiſtere; omnem curam et ſollicitudinem tam in clericis quam in eccleſiis eorum impendere; cognitionem et juriſdictionem ordinariam exercere; jurgia audire; archipreſbytero, &c. praeeſſe; diaconis et ſub-diaconis imperare; et epiſcopi in omnibus vicem gerere, niſi ardua negotia majorem deſiderent authoritatem: unde citra epiſcopi mandatum, non poteſt animarum curam committere, nec de jure communi ſententiam excommunicationis in aliquos promulgare; nec aliquem extero epiſcopo ordinibus ſuſcipiendis commendare, aut in monaſteria juriſdictionem habere, niſi praeſcripſerit. Corvin. Juſ. Can. ſtrictum explicatum, et vide Duaren de Sacr. Eccleſ. Miniſt. lib. i. cap. 12. et Sylveſtri Sum. in Archidiacono.

The dignitie and benefice of archdeacone of St Andrews, albeit now fixt and annext to the firſt miniſter of St Andrews, yet formerlie it hath been poſſeſſed by other dignified perſones; as in the year 1557, the benefice belonged to George Durie commendator of Dumferline, deſigned principall archdeacone of St Andrews in a charter granted by him, with conſent of Mr Robert Pitcairne his ſucceſſor to the ſaid archdeaconrie, and of John Archbiſhop of St Andrews patrone thereof, and of the chapter of St Andrews, to Richard Shoreſwood, of the lands of Wilkieſtoun, Brewlands, and alehouſe of Roſcobie. Nota, the reddendo is as follows. To the principall archdeacone of St Andrews 24 bolls bear, 24 bolls oatmeale, and 8 bolls wheate, to be delivered in the archdeacon's inns in St Andrews, inter feſta D. Andreae apoſtoli, et carnis * premii, and 20ſh. for

* Corrupte mihi videtur pro carnis privii, i. e. carnivale, tempus quo carnibus valedicitur, Shrovetide.

for the kane hay of Wilkieſtoun as the old ferme, and 3ſh. 4d. in augmentation of the rentall of the archdeaconrie; and for the Brewlands and alehouſe of Roſcobie, to the archbiſhop 10ſh. as the old ferme, and 2ſh. in augmentation of the rentall; and to the archdeacone and his ſucceſſors 12ſh. with the duplicando at the air's entrie, and giving three ſuits at the archdeacon's head courts, to be holden in St Andrews, being required by ane officer. The date is 4 April 1557. This Mr Robert Pitcairne after that, when he was archdeacone, ſet in tack the beſt pairt of the benefice, viz. the teynds of Kincaple, Nydie, and Newtoun of Nydie, to his couſine N. Pitcairne of Forthar, for ſo long ſpace, that the ſame only expired in the year 1666, for a tackdewtie of 60 lib. Scots. Yea this benefice hath been in the hands of meer laik perſons, who neither officiate at the kirk of St Andrews, nor had curam animarum elſewhere; as Mr George Young of Wilkieſtoun, &c.

In the year 1606, at the reſtitution of biſhops and their eſtate, the king and parliament, by the ſecond act of parliament holden that year (in conſideration that George Archbiſhop of St Andrews reſigned the caſtle of St Andrews and the yairds thereof, and conſented to the diſſolution of the ſame from the archbiſhoprick, to which they formerlie undoubtedlie belonged, and to the diſpoſition thereof in favour of George Earle of Dumbar), diſponed the benefice of the archdeaconrie of St Andrews and the vicarage of that pariſh, with the proveiſtrie of Kirkheugh, to the archbiſhop and his ſucceſſors in all time coming.

Thereafter the ſame George Archbiſhop of St Andrews reſigned from him and his ſucceſſors, in the hands of the king his ſuperior and patrone of the ſaid archbiſhoprick, the benefice of the archdeaconrie as to the ſpiritualitie, with the archdeacon's manſe, office of conſervator of the privileges of the univerſitie of St Andrews, and of inveſting, inſtituting, and inducting of all perſones preſented and collated to benefices within

within the archbiſhoprick and dioceſe of St Andrews; with other priviledges, rents, churches, belonging to the ſaid archdeaconrie, and locall ſtipend, dew and aſſigned to the pariſh church of St Andrews for ever, extending to 10 chald. 8 bolls victuall, as then and formerlie poſſeſt by the archbiſhop, and annext to the archbiſhoprick of St Andrews as a pairt of the patrimonie thereof, to the effect that the king might unite the ſame for ſerving the cure at the ſaid kirk, to the archdeaconrie as a pairt of its patrimonie for ever; and for his Majeſty's infeoftment of the patronage of the archdeaconrie to the archbiſhop and his ſucceſſors for preſenting of perſones ane or mae for ſerving the cure at that church. Thereupon the king, by the gift to George Archbiſhop of St Andrews and his ſucceſſors, dated 4 April 1612, with conſent of the ſecret councill, annexes the locall ſtipend (aſſigned to the ſaid pariſh church of St Andrews) to the archdeaconrie, to remain therewith as a pairt of the patrimonie thereof inſeparablie for ever; and diſpones to the Archbiſhop of St Andrews the right of patronage of the archdeaconrie as to the ſpiritualitie, with the manſe and offices above expreſt, according to uſe and wont; with all other offices, churches, rents, emoluments, and priviledges, now unite to the ſaid benefice and locall ſtipend incorporate therewith, as a pairt of the patrimonie thereof, to this effect, that perſones ane and mae may be preſented to the archdeaconrie by the archbiſhop and his ſucceſſors in its vacancie; which perſones ſo preſented, are by the ſaid gift bound to reſide and ſerve the cure of St Andrews. And by the ſaid gift the king promiſes to ratifie the ſame gift of the right of patronage of the ſaid benefice of the archdeaconrie of St Andrews in favours of the archbiſhop, in the next enſuing parliament, &c.

The king and parliament by their act [imprinted] October 1612, ratifies the foreſaid gift (ingroſit therein) of the patronage of the archdeaconrie, which narrates, ut ſupra, the former union and annexation of the archdeaconrie,

archdeaconrie, with the haill rents and profeits thereof, and the locall ſtipend aſſigned to the incumbent at the pariſh kirk of St Andrews, furth of the priorie to the archbiſhoprick of St Andrews as a pairt of the patrimonie thereof.

And farther, the eſtates of parliament with the archbiſhop's conſent, diſſolves the temporalitie of the archdeaconrie from the archbiſhoprick whereunto it was annext before, to the effect it might be diſponed by the archbiſhop, patrone both of the ſpiritualitie and temporalitie, to perſones qualified for the office and function of the miniſtrie; reſerving to the archbiſhop and his ſucceſſors, the houſes, lands, and tenements, lying in the citie of St Andrews, never to be ſeparated therefrom, except the archdeacon's manſe and inns.

This act, complexlie, is a ratification of the king's gift to the archbiſhop, of the patronage of the ſpiritualitie of the archdeaconrie and an annexation of the locall ſtipend, perpetuallie aſſigned to the pariſh church of St Andrews to the archdeaconrie as a pairt of the patrimonie thereof inſeparablie, proceeding upon the archbiſhop's reſignation of the archdeaconrie as to its ſpiritualitie and locall ſtipend aſſigned to the ſaid kirk, for union of the locall ſtipend to the archdeaconrie, and for the gift of patronage to the archbiſhop, with a diſſolution of the temporalitie of this benefice from the archbiſhoprick, that the ſame may be diſponed to qualified perſones to ſerve the cure at St Andrews.

In purſuance of this act of parliament, and the deſigns thereof foreſaid, the archbiſhop uſes to preſent ſuch qualified perſones as his Lordſhip thinks fit to the ſaid benefice, during their lifetime, thus.—Nominates and preſents N. to the office of archdeacone of St Andrews, conſerving of the priviledges of the univerſitie there, and of inducting, inveſting, and inſtituting of all perſones to be preſented and admitted to benefices within the ſee of St Andrews (which according to ancient

cuſtome and by act of parliament apperteins to the archdeacones of the ſaid ſee); with all priviledges, immunities, dignities, churches, rents, emoluments, advocations, donations, and rights of patronages of churches, ſuperiorities of lands, and others whatſumever perteining to the temporalitie of the ſaid benefice and to the ſpiritualitie of the fruits and rents of the ſame, conſiſting of the teynds of Kincaple, Nydie, Newtoun of Nydie, and of the teyths of Roſcobie, of old belonging to the ſaid benefice (holden as repeated in the preſentation) and tack-dewties thereof; and alſo to be miniſter at the pariſh church of St Andrews, called the Trinitie church, with the archdeacon's ancient manſe, commonlie called the archdeacon's inns, lying at the eaſt end of the citie of St Andrews, with ane ſufficient gleib, lying in the abbey-croft beſide St Andrews; and ſicklike in and to the locall modified ſtipend out of the teyths within the pariſh of St Andrews, for his ſerving the cure at the ſaid church, with a localitie therefore.

In theſe preſentations mention is made generallie of the other teynds belonging to the benefice; and theſe are, of the two pariſhes of Kinneff and Bervie, of which churches the archdeacone is patrone: Alſo mention is made of the ſuperiorities of lands and others perteining to the temporalitie of the ſaid benefice; theſe lands are, Stratyrum, Wilkieſtoun, Balmakin, Baldaſtard.

The archdeacone is thought by ſome to have been of old a member of parliament before the reformation, and to have ſitten therein as the king's barone. It is true he holds courts, and hath his heritable baillie, who is the heritor of Stratyrum, which ancientlie was the archdeacone's manſe, but was fewed out near 140 years agoe to John Inglis and his airs, and now belongs to Sir William Sharp, knight baronet. Yea and ſome churchmen of a lower forme in old times did ſit in parliament, as is well known. But if the archdeacone of St Andrews did, non ſatis conſtat.

conſtat. [As to the archdeacone of St Andrews his being a barone, and ſo having a capacitie of old to ſit in parliament, it is not doubted by ſome; for in the erection of the univerſitie of St Andrews by Biſhop Henry Wardlaw, and in the old confirmation of the priviledges of the univerſitie, mention is made of the baronie of the archdeacone of St Andrews. Others are of opinion, that neither the archidiaconus Sti Andreae, nor any other clerk below the dignitie of a prelate, that is, a biſhop, abbot, and prior, did ſit in parliament, except when they were elected commiſſioners for the inferior clergie, of which ſome think there were ordinarilie eight, and ſuch of the lower clergie as were officers of ſtate, ſuch as ſecretarius, cuſtos privati ſigilli, clericus regiſtri, et director cancellariae; and when the archidiaconus Sti Andreae is in the roll of parliament, he is ranked amongſt thoſe that could not be ſurelie there ex officio, but only when elected, viz. the officiales of ſeverall dioceſes, the praepoſiti, and the decani, praecentores, cancellarii, theſaurii, &c. of ſeverall chapters, and even the rector of pariſhes.]

The ſtate of this benefice at the generall aſſumption of the rents of great church benefices of this kingdome, anno 1561, as it was then given up was thus:

The archdeaconrie of St Andrews ſet in tack for 600 libs.

The temporalitie of the lands of Strathtyrum and Wilkieſtoun.

The ſpiritualitie of the kirk of Roſcobie in Angus, and Kinneff in the Merins.

Nota, of old the Archbiſhop of St Andrews had two archdeacones, the archdeacone of St Andrews and the archdeacone of Lowthian, who are oft mentioned in charters as witneſſes.

SECTION

SECTION VIII.

OF THE VICARAGE OF ST ANDREWS.

THE vicarage of the pariſh of St Andrews includes alſo the vicarage of the preſent pariſh of Cameron, which is a new kirk and pariſh latelie erected, and entirelie taken off the pariſh of St Andrews anno 1641, or thereabout, the old pariſh of St Andrews being thought too large, and that conforme to the fourth unprinted act of parliament 1592, intituled, Anent the bigging of ane ſecond kirk within the pariſh of St Andrews.

Of old the pariſh of St Andrews had a vicar, who did read common prayer morning and evening, to whom the vicarage belonged; but thereafter this vicarage was annext to the archbiſhoprick by the king and parliament anno 1606, cap. ii. and that in lieu of the caſtle and caſtle yairds of St Andrews, then diſponed heritablie by the king and parliament to George Earle of Dumbar.

[The vicars of St Andrews of old had belonging to them a dwelling-houſe and a large yaird on the north ſide of the north ſtreet of St Andrews, near the Fiſh Croſs, which was thereafter purchaſed by James Lintron and Margaret Taylor his wife, who repaired and rebuilt the houſe with ſtones taken out of the foundation of the cathedrall church, above 80 years agoe. Their names and the year of the reparation are yet to be ſeen on the windows; but their grandchild and her airs are put from it for his debts; and he was forced to ſell the houſe and yairds to one of his creditors, whoſe air could not keep them; and, it ſeems, whoever gets them proſpers not. Cauſa patet.]

Since the reſtitution of biſhops, the Archbiſhop of St Andrews, notwithſtanding of his right to the vicarage of St Andrews pariſh (which alſo includes that of Cameron by the foreſaid act of parliament), hath alwayes aſſigned this vicarage of both the pariſhes to the miniſter of Cameron,

Cameron, for his ſerving the cure there; and that kirk has no other ſtipend or maintenance belonging thereto by the law, nor mortified to the ſame. Therefore, the archbiſhops, for the good and accommodation of the ſouth pairt of St Andrews pariſh, which is very large, have allowed this vicarage to the miniſter at Cameron, with ſome bolls of victuall furth of the teynds of St Andrews pariſh beſide.

SECTION IX.

OF THE PROVEISTRIE OF KIRKHEUGH.

THIS benefice was called of old, Eccleſia beatae Mariae de Rupe, et capella domini regis Scotorum, as the charter and writs granted to the vaſſells of the lands holden thereof, by the proveiſt and chapter of this chaple, with the ſeall of the conſent of the ſame appended thereunto, do evidentlie teſtifie; which ſeall bears the bleſſed virgin carrying the holy Babe, ſitting, as it ſeems, under a cloath of ſtate, or in a great portico or entrie, excellentlie cut, with a little diviſion on each ſide, and there a man worſhipping on each hand of the image, with this circumſcription: S. capituli eccleſiae Sanctae Mariae capellae domini regis Scotorum. The reverſe bears a king crowned, ſitting with a long cloſe mantle and garment, girt in the middle, very antique, holding a ſword in his right hand, and a monde or globe in his left, with the ſame circumſcription.

From the name Maria de Rupe ſome have conjectured, that is meant the old chaple, built without or at the back of St Andrews bulwark, now quite demoliſht, dedicate to the bleſſed virgin. Vide chap. ii. ſect. 3. But this is merelie conjecturall, otherwayes this benefice muſt needs be

a great deall older than commonlie it is held to be; and if it were ſo old, it could not be called capella dom. regis Scotorum. From which pairt of the circumſcription it is certaine, that it could not be founded before the days of King Kenneth the ſecond, towards the middle of the ninth centurie, the Pights ever before that holding all the lands in this pairt of the countrie, and not the Scots, till the extermination of the Pights. [However, though it had been founded by a king of the Pights, it might, upon a change of patrones, be termed capella dom. regis Scotorum.]

In the grant of the priviledges by King James the firſt to the univerſitie of St Andrews, one of the witneſſes is Mr Robert Lamby, praepoſitus capellae noſtrae Sti Andreae, dated anno regni 26, which muſt be the year 1430. It is poſſible that the veneration to this old chaple, built as the tradition goes, by Regulus and his companions at their arrivall, might have given a found to this proveiſtrie, erected of a much later date.

From its being called capella dom. regis Scotorum, as on the ſeall, and in Fordun's Scoti Chron. lib. vi. cap. 44, ſome think that a Scottiſh king founded and dated the ſame: Yet both Sir Thomas Hope, near fiftie years agoe, and the Lord Stair of late, hold expreſslie, that the ſame was founded by one of the Macduffs earles of Fife. And this is all the certaintie we have for the foundation of this benefice, none of our hiſtorians giving any accompt thereof, except Fordon in Catalogo Praepoſiturarum et Praefecturarum, who aſſerts, that Conſtantine the ſecond, King of Scots, founded the ſame; as probable as any other. He began to reigne anno 858, and did reigne till the year 874. [So alſo Gilbert Brown, cited by Dempſter in his Apparat. p. 77.] All the records and regiſtres of this and other benefices, being either deſtroyed or carried off the kingdome at the reformation, which (whatever other good

good effect it had, yet it) occaſioned an irreparable loſs of the knowledge of our kirk benefices, with the ſplendid antiquities and generous pietie of our anceſtors; ſo that often we muſt be content for our information, to rely upon fragments, tradition, and oft times conjectures; and it is good if they be likelie and any way rationall.

In the extract furth of the regiſtre of the monaſterie of St Andrews, mentioned above, chap. vii. ſect. 1. there is expreſs mention made of three baronies within the Curſus Apri, Baronia domini epiſcopi, Baronia domini priores, et Baronia Kalediorum. This third muſt needs be that we are now treating about, commonlie called the proveiſtrie of Kirkheugh, eſpeciallie ſince, 1o. Within the boar's chace lie all the lands which hold of this proveiſtrie, which are afterwards enumerate. 2o. This benefice hath its owne baillies and peculiar courts in the ſame manner, although not ſo amplie endowed with priviledges, as the archbiſhops courts, by reaſone of his regalitie, within which ſome think this benefice is eminenter includit.

The proveiſtrie of Kirkheugh had the common fate of other church benefices in the kingdome at the generall annexation of the ſame to the crowne anno 1587. But the parliament anno 1606, chap. ii. intituled, Act anent the reſtitution of the ſtate of biſhops (in conſideration that George, then Archbiſhop of St Andrews, reſigned the caſtle of St Andrews and yairds thereof, and conſented to their diſſolution from the archbiſhoprick, and diſpoſition of the ſame to George Earle of Dumbar), diſponed this benefice, called in the act the proveiſtrie of Kirkhill, the archdeaconrie and vicarage of St Andrews, to the ſaid George Archbiſhop of St Andrews and his ſucceſſors in all time coming, with a penſion of 300 merks, ut vide in the act.

In the charter called the golden charter, granted by King James the ſecond to Biſhop James Kennedy, among the lands there inſert, almoſt all

all the lands holden of this benefice are expreſt, with many others that hold of the priorie and archdeaconrie, and all the lands then diſponed being then erected into a free regalitie, conſequentlie ſome think that the archbiſhop's baillie, viz. the Earle of Crawfurd, had a right to the bailliarie of this benefice. Whatever may follow upon that diſpoſition and erection, yet the archbiſhop and the proveiſt of Kirkheugh have been ſtill diſtinct and different ſuperiors; and the later ſtill entered his vaſſels to the lands within the proveiſtrie holding thereof as the former did, till the annexation. And for the Earle of Crawfurd's right to the bailliarie thereof, it is alledged and claimed to be by this title. James Lermonth of Dairſy obtained of the proveiſt of Kirkheugh (both before the annexation of this benefice to the crowne anno 1587, and to the archbiſhoprick of St Andrews anno 1606), then the miniſter of Seres, the few of the kirk lands of Seres for yearlie payment of 20 libs. and the office of baillie of the Kirkheugh, with the ſaid 20 libs. of few-dewtie diſponed to him for his baillie fee; and then reſigned the ſame, with his heritable offices of bailliarie, generall juſticiarie, &c. in the archbiſhoprick and priorie, in the king's hands as ſuperior, by the act of annexation, for infeoftment to himſelfe in liferent, and to William Lermonth his ſone in fee. And in November 1595, they are all infeft therein by virtue of a precept upon the king's charter (which containes a new gift of all theſe heritable offices contained in Archbiſhop Hamilton's charter anno 1562; alſo of the office of bailliarie of the proveiſtrie of Kirkheugh), and in all the offices abovenamed, and in all the lands and temporalities thereof, and in all the fees and caſualties of the ſame. Thereafter all theſe offices were appryſed from the Lermonths by Robert Lord Lindeſay, the Earle of Crawfurd's predeceſſor, who upon his rights is infeoft, by virtue of a charter granted to him by George Archbiſhop of St Andrews, in all theſe offices, as well of old holden of the archbiſhop as of the proveiſt

of

of the Kirkheugh, with all the fees belonging thereto; and it is informed that this charter is ratified in parliament.

Albeit the Earle of Crawfurd is thus ſtated in the office of the bailliarie of this benefice and others, by appryſing the right thereof from William Lermonth, who purchaſed the right thereto from the proveiſt of Kirkheugh, ut ſupra, and that his Lordſhip's predeceſſor Robert Lord Lindeſay was infeoft therein by charter from the Archbiſhop of St Andrews, after the annexation of the benefice to the archbiſhoprick in 1606; yet the Lairds of Craighall (who formerlie held the baronie of Kinninmouth, cum decimis incluſis, of the prior) acquired the ſame from the Duke of Lennox in the time of the erection of the priorie, in a temporall lordſhip, and was infeoft therein upon the duke's reſignation confirmed in parliament, to be holden of the king blench, as is expreſs and clear by the charter of mortification of the priorie to the archbiſhoprick, ut ſupra, chap. x. ſect. 2. [Alſo Archbiſhop Spotſwood, by his charter dated 1 December 1621, narrating that Mr Thomas Hope, advocate, and Mr John Hope his ſone, and their predeceſſors, were infeoft in the kirk lands of Seres, of old belonging to the proveiſtrie of Kirkheugh, and in the heritable office of bailliarie of all lands belonging to the ſaid proveiſtrie, i. e. holden thereof; alſo narrating the act of parliament anno 1606, annexing this benefice to the archbiſhoprick; therefore gives, grants, and diſpones to the ſaid Mr Thomas and Mr John Hopes, and their heirs, &c. the kirk lands of Seres, with the houſe, biggings, &c. and the office of bailliarie of the proveiſtrie of Kirkheugh, and of all lands belonging thereto, with the ſeaſine oxen for the office of bailliarie, and haill amerciaments and iſſues of the baillie court, to be applied to their own uſe; with all the liberties, priviledges, and emoluments belonging to the foreſaid office, paying therefore yearlie 20 libs. Scots, which is gifted and diſponed to them and their foreſaids pro ſtipendio et ſalario debiti functionis officii ballivatus, ac-

cording to the old infeoftment of the ſaids lands and office; et praeſtando pro dicto officio ballivatus debitum fidelitatis juramentum to his Lordſhip and his ſucceſſors, et exſequendo dictum officium debite in omnibus, nomine albae firmae. And the ſaids Mr Thomas and Mr John Hopes are infeoft upon this charter in the kirk lands of Seres and office of baillia-rie, with all the priviledges, &c. December 12. ſaid year.] The Lairds of Craighall having the kirk lands of Seres and a right thereto, have been in uſe to hold courts as baillies of the proveiſtrie of Kirkheugh, and therein to call the Earle of Crawfurd as owing ſuite and preſence therein for his Lordſhip's lands of Struthers, Balmaine, &c. which formerlie held of the proveiſt of Kirkheugh. Thus Craighall claims a right to be baillie of the Kirkheugh, and by virtue thereof ſues a right to the bloods and riots committed within the proveiſtrie, and alledges that the inhabitants of the ſame ought not to be compelled to paſs upon aſſizes before the Earle of Crawfurd or his deputes as ſtewart: Yea and further claims a power to cauſe theſe within the proveiſtrie, and the Earle of Crawfurd's owne tenants, to make weapon-ſhawings at his command, albeit it be alledged, that in former times at weapon-ſhawings all the vaſſells and tenants of the archbiſhoprick, priorie, archdeaconrie, and proveiſtrie of Kirkheugh made compearance to the Laird of Dairſy as baillie and ſtewart of the regalitie of St Andrews, becauſe the archbiſhop his conſtituent has the lands of the archbiſhoprick, priorie, archdeaconrie, and proveiſtrie of Kirkheugh diſponed in free regalitie by the golden charter, by which the haill inhabitants of theſe lands and within that regalitie be thereby exeemed from all courts, except the biſhop. And it is further alledged for the Earle of Crawfurd, that all the inhabitants of the proveiſtrie of Kirkheugh were ever conveened of old before the ſtewart and his deputes, upon occaſions of bloods and riots, and that then none as baillies of Kirkheugh ever pretended any right thereto.

[By

[By the eleventh of the unprinted acts of parliament 1621, the king and eſtates of parliament ratifie and approve the acts and ſtatutes formerlie made, uniting the proveiſtrie of Kirkheugh, place, and lands belonging thereto to the archbiſhoprick of St Andrews, in the haill heads thereof, and ordaines the ſame to be annexed in all time coming; and for that effect diſſolves the haill lands, baronies, &c. perteining to the ſaid proveiſtrey, from the act of annexation 1587, and from all other acts made before or thereafter, which are annulled in ſo far as concerns the ſaids baronies, lands, &c. and of new unites and annexes the ſaid proveiſtrie, with the place thereof, haill lands, baronies, &c. perteining thereto to the archbiſhoprick of St Andrews, to remain therewith inſeparablie as a pairt of the patrimonie thereof for ever; excepting from the act the kirk of Seres, parſonage and vicarage thereof, which is ſeparate and diſmembered from the ſaid proveiſtrie, and is erected in ane ſeverall benefice, whereof the right of patronage is diſponed by the king to the Lord Lindeſay conforme to the writs made thereupon, which are ratified by the foreſaid act and declared to be no wayes comprehended therein, but altogether excepted therefra, with reſervance of the kirks of Strabrok, Ardburthnot, Dyſert, Benholme, and Fettereſſo.] This much I have come to know of the Earle of Crawfurd and the Laird of Craighall their claimes and pretenſions to the office of bailliarie of this benefice; but I preſume not to determine who has beſt right, inſerting them only for information.

The proveiſt of Kirkheugh his manſe was that old houſe ſtanding on a little height above the ſhoare of St Andrews, now in no good repaire, having a riſing thereto on all ſides, except at the north, and is called at this day the Kirkheugh; and at the back of the houſe there is a little heugh ſouth-weſt to it; and a little north from the houſe are to be ſeen certaine ruins of old buildings, which were the chaple itſelfe, and ſome

other

other houſes for accommodation of the chapter or ſmall convent belonging to the chaple *.

In the tack of the teynds, parſonage and vicarage of the lands of Kinglaſſie, ſet by Mr Thomas Methven prebender of the prebendarie of Kinglaſſie, alias Kingaſk, to Alexander Wincheſter, with conſent of Mr James Lermonth proveiſt of Kirkheugh, and the prebenders of the colledge kirk thereof, it is called the Colledge Kirk of our Lady of the Heugh beſide the citie of St Andrews. The tack is dated Feb. 1575, and has the common ſeall (which is round, and of three inches diameter) and the ſetter his proper ſeall appended. The tack is ſubſcrived by the granter, the proveiſt above named, and Mr William Ruſſell, who ſubſcrives prebendar of Duray and Rumgallie. The tack-dewtie is eight merks. But this prebendarie belongs now to the New Colledge of St Andrews, and the preſent tack-dewtie is 30 libs.

The ſtate of this benefice at the generall aſſumption of the rents of church benefices of this kingdome, anno 1561, is recorded thus in the books of aſſumption.

The rentall of the proveiſtrie of Kirkheugh (called the Kirkhill) conſiſts of the fewed lands of Kinaldie and Gilmertoun, and the teynds of Craighall and Inglis-Tarvet, and the lands of the pariſh of Seres.

In money, ...	L 176 : 14 : 8.
Beare, ...	3 chald. 9 bolls.
Meall, ...	9 —— 11 ——
Kean oats, ...	1 —— 6 ——
Kean fowls, . . .	5 duſſon.

The lands holden of the proveiſtrie of Kirkheugh in the time of Bajamont's taxation, near the end of the thirteenth centurie, were theſe following,

* Very little now remains of theſe buildings, viz. a ſingle gavel with a door in it, and the foundations of ſome walls. But whether theſe are the ruins of the manſe or of other houſes cannot now be known.

lowing, viz. Balmaine and the mylne, Souther Kinaldie and the mylne, Kinaldie Norther, Gilmertoun, Lambielethain and Carngour, the kirk lands of Seres, Kinkell, and Snadoun; with the teynds of Oughter Struthers, Craigrothie, Caſſindillie, of the baronie of Craighall, Inglis-Tarvet, Bandirren, Halteſes, Hilteſes, Teſemylne, Eaſter Pitſcottie, Baltillie, and Kingerrock.

For the number of the prebendars of this benefice, I find by another tack of the teynd ſheaves of Kinglaſſie, ſet by the ſaid Mr Thomas Methven, with conſent of Mr Thomas Buchanan proveiſt of Kirkheugh, and the other prebendars of the ſaid colledge kirk, dated March 1594, ſubſcrived by the ſetter and the ſaid proveiſt. The other prebendars ſubſcriving are, the parſone of Fetereſſo, the parſone of Dyſert, the prebendar of Duray and Rumgallie, the prebendar of Cameron and Cairns, the parſone of Bervie, the parſone of Strabroke, and [the prebendar of Kinkell, Arbuthnot,] parſone of that ilk; ſo that in all there has been about this colledge a proveiſt and nine prebendars at leaſt. But it is to be remembered that there are other two kirks, viz. Arbuthnot and Benholme, which depended upon this benefice.

CHAPTER

RELIQUIAE DIVI ANDREAE,

OR THE

STATE OF THE VENERABLE AND PRIMITIAL SEE OF ST ANDREWS.

CHAPTER XI.

OF THE BISHOPS AND ARCHBISHOPS OF ST ANDREWS.

SECTION I.

A CATALOGUE OF THE BISHOPS AND ARCHBISHOPS, ACCORDING TO SPOTSWOOD.

840 ADRIAN
Kellach
Malesius
Kellach II.
Malmore
Malisius II.
Alwinus
Maldwin
Tuthaldus
Fothadus
Gregorius
Edmundus
Godricus
Turgot
Eadmerus
Robert
Arnold
Richard

Roger,

Roger
William Malvoiſine, chancellor
David Benham
Abell
Gamelinus, chancellor
William Wiſhart
William Fraſer, chancellor
William Lambertoun
James Bane
Vacatio 9 annorum
William Landells
Stephen
Walter Traill
Vacatio 13 annorum
Tho. Stewart
Henry Wardlaw
James Kennedy
Patrick Graham firſt archbiſhop
William Shevez
James Stewart, chancellor
Alexander Stewart, chancellor
Andrew Foreman
James Beatoun, chancellor
David Beaton, cardinall and chancellor
John Hamilton
John Douglas
Patrick Adamſone
Vacatio 15 annorum
George Gladſtanes
John Spotſwood, chancellor
Vacatio 23 annorum
James Sharp
Alexander Burnett
Arthure Roſe.

I have done litle more here but copied out this catalogue as I found it in the reverend Spotſwood, a grave and ſage author, and the appendix latelie come out to his hiſtorie, [with a very inconſiderable change,] and ſhall only add thereto this advertiſement, although ſomething unwillinglie, that in this enumeration of the prelates of this ſee (exactly agreed upon by that excellent prelate and his appendicer), one Daniel Biſhop of St Andrews is omitted, whom I find particularlie named and deſigned one of the biſhops of St Andrews in Biſhop William Landell his confirmation of the rights, &c. of the monaſterie of Haddingtoun, dated May 20, 1359, where the granter of the charter, ſpeaking of the founders of, and benefactors to this monaſterie, there are ſome biſhops of

St.

St Andrews twice named and thus ranked: Richard, William, David, and Daniel, being all the confirmer's predeceſſors in the ſee of St Andrews. But by Spotſwood and the ſaid catalogue there is no place found for this Daniel, except we conjecture that he immediatelie preceeded Landells the granter of the confirmation, at which time, according to this author, the ſee vaiked nine years. How to ſalve the primate's authoritie for omitting this Biſhop Daniel againſt the forecited teſtimonie, which is ſo expreſſive, I know not, except by admitting this criticiſme, whereof a good antiquarie of my acquaintance hath ſagaciouſlie taken notice, that in the copies of the foundation, whereof each of us hath one, Daniel ſhould be reade Gamel, for Biſhop Gamelinus, who preceeded Landells this confirmer. But the foundation being in good Latin and correct, it ſeemes not likelie that the name of a biſhop was curtailed and miſtaken ſo groſslie.

SECTION II.

AN ACCOMPT OF THE MOST REMARKABLE ACTIONS OF SOME OF THE BISHOPS AND ARCHBISHOPS OF ST ANDREWS.

I PRESUME not to attempt ane hiſtorie of the venerable prelates of this ſee, one of the number having done that already, viz. Archbiſhop Spotſwood in his hiſtorie of the Church of Scotland, from p. 25 to p. 98, I ſhall only give accompt of ſome ſcant gleanings of my owne from him and ſome other documents I have made uſe of, which may ſerve for memoires of ſome of the prelates of St Andrews their moſt conſiderable actions and accidents in their time.

Of what accompt and eſtimation the venerable prelates of this ſee were of old, will clearlie appear from what our learned hiſtorian Hector Boeth

ſayes

ſayes in his hiſtorie of Scotland, lib. x. fol. 208, in the life of King Kenneth the ſecond, Tanta reverentia inter homines, tantaque vitae innocentia, et erga deum pietate ſacer divi Andreae pontificatus ab inſtitutione ſui longa epiſcoporum ſerie ad tempus quo hodie commentabamur [ſcribit ad annum 1526] eſt continuatus, ſex nempe ſupra triginta antiſtites et eorum complures inter divos relatos illic ſediſſe perhibent, ut nuſquam gentium verae religionis cultus, morum conſentiente probitate, magis effulſerit; which paſſage is eſpeciallie taken notice of by the reverend Joſeph Hall, Biſhop of Exeter, in his book of Epiſcopacie by Divine Right, and is cited by him from the learned Sir Henry Spelman.

[And Dempſter in his Apparat. ad Hiſt. Scot. p. 63, ſpeaking of the prelates of this ſee, ſaith, Vix dici poterit quam ſanctae piaeque ei antiſtiti (i. e. Andreapolitanae) eccleſiae Scotiae morum geſſerint, quantaque probitatis fama apud exteros vigeret, ut raro unquam regni procuratio, rege minore, aliis quam ei committeretur, nec legationes de rebus gravioribus, niſi eo miſſo, decernerentur; nec immerito, quippe ab initio, ad annum 1500, plerique horum praeſulum ſanctorum catalogo aſcripti. But I muſt be ſpeciall, theſe teſtimonies being generall.]

ADRIAN, according to Spotſwood, is the firſt biſhop of this ſee of St Andrews, of whom we have a certaine accompt. He was killed by the Danes in the Iſle of May, anno 872 [or 874,] with Strobrandus a biſhop, Monanus ane archdeacone (from whence St Monance), Glodianus a preſbyter, and other churchmen, who fled thither for ſafety after the great overthrow given to the Scots by the Danes in the reigne of Conſtantine the ſecond, in the eaſt end of Fife near Craill. In this biſhop's time, at a convention in Scoone, paſt many good acts for reforming abuſes among the clergie. [Of this Adrian ſee Camerarius de Scotorum fortitudine et pietate, lib. iii. p. 110.]

There is a litle written book in good Latin, not very old, entittled, De Epiſcopis et Archiepiſcopis Fani Andreae, which names Spothadus, alias Sfothadus, alias Fothadus, for the firſt biſhop of this ſee, then called Kilrewle, about 100 years after the tranſlation of the biſhoprick hither from Abernethie by King Kenneth the ſecond, and aſſerts that he was the firſt biſhop of Scotland that had a certaine ſeat, viz. ad fanum Reguli, and that he gave many ornaments to the church; among others evangelium ſacrum argentea theca incluſum, prefixing his owne name, and placing the ſame on the high altar then in St Rewle's church, toward the north, with this diſtich in a Scots character:

Hanc evangelii thecam conſtruxit aviti
Fodauchus, qui Scotis primus epiſcopus erat.

He was conſecrate anno 954, and was baniſht by King Indulfus anno 692. Thus the MS. And it agrees well enough with Biſhop Leſlie's chronologie, but not with Archbiſhop Spotſwood's accompt, which ſeems more honourable and juſt.

[The forenamed Camerarius, lib. iii. de Scotorum, fort. p. 95, ſays he was confeſſor to King Malcolme the ſecond (and chancellor alſo), who began to reigne anno 1004. Buchanan alſo mentions him, lib. vi. Biſhop Leſlie, lib. v. p. 192. and Boeth, lib. xi.]

KELLACH, [Kenlaucht, or Cellach,] the ſecond of that name, was the firſt biſhop of this kingdome that went to Rome for confirmation. In his time Conſtantine the ſecond renunced his honours and crowne, and retired to live among the Culdees at St Andrews, where he died five years after, being made a prior of the Culdees there. [Yet this is contradicted by ſome ancient authors, whereof Dr Jamieſon names four or five; but I have ſeen none of them. This Kellach ſat biſhop four years and ſixteen days.]

FOTHADUS

FOTHADUS (according to the MS. Sphothadus the ſecond, and ſeventh biſhop of this ſee, but with Spotſwood the tenth,) was a man of great wiſdome, holyneſs, and authoritie, by which he did compoſe and accommodate the commotion raiſit betwixt Malcolme the ſecond and Grimus, competing for the crowne of this kingdome and for the ſucceſſion, upon the conditions mentioned by Biſhop Leſlie, p. 192, and by Buchanan, p. 195. [Boeth, lib. xi. fol. 244. And by his pains theſe two kings came to ane agreement. He lived about 100 years after the tranſlation of the ſee from Abernethie to St Andrews. The Scoti Chronicon ſayes of him, Hic antiſtes a quibuſdam traditur fuiſſe primus epiſcopus qui in Scotia certam ſedem habuerat ad ſanum Reguli. But this is contrarie to Archbiſhop Spotſwood, a worthie author, who makes him only the tenth biſhop of St Andrews, which is the more probable opinion, he being conſecrate only anno 954.]

GREGORIE in his time, biſhops, who before adminiſtrate their functions indifferentlie in all places, had limits appointed to them for the exerciſe of their juriſdiction. And at that time to St Andrews was committed the overſight of Fife, Lothian, Merſe, Stirlingſhire, Angus, and the Merins, in a convention of the eſtates of this kingdome holden at Forfar by King Malcolme the third, alias Malcolme Kenmoire. [He ſat biſhop two years.]

TURGOT, the tutelar ſaint of Archangell, [came to this ſee anno 1107 or 1110, being then Dunelmenſis monaſterie ſecundus praepoſitus decanus et per dioceſin primarius, ſaith the MS.; and adds, that he was Vir ſane multarum literarum peritus, religioſus, mitis, prudens, et modeſtus, ut Poſſevinus in apparatu ad hiſtoriam eccleſiaſticam.] He wrote Annales ſui temporis, Chronica Dunelmenſia, Librum de Regibus Scotorum. Alſo he wrote the hiſtory of King Malcolme the third and Queene Margaret, et Rerum Scoticarum Chronicon. This laſt was continued

tinued by John Fordun; et Fordano ſuperaddit magnus Maccullochus, opus inſigne, magni voluminis, et manuſcriptus liber longe elegantiſſimus, ſayes the written book of the biſhops of this ſee. Alſo it adds, that Turgot, at command of King Alexander the firſt, founded the kirk of Scoone in honour of the Trinitie, and another at St Andrews in honour of Michael the archangel. But if theſe dedications be not quite contrare, it is certaine that that at St Andrews was dedicate to the Trinitie, being the preſent parochiall church there, and now the cathedrall church alſo. [He ſat biſhop ſeven years. He had been prior of Durham, where he died, and was buried anno 1117, ſays Spotſwood.]

GODRICUS anointed King Edgar in the beginning of the twelfth centurie, at his coronation, to whom this ceremonie was firſt performed in Scotland, and which St Margaret the Queene obtained from Pope Urban the ſecond. Yet Buchanan will not have this ceremonie to obtain in this kingdome till the coronation of David the ſecond, anno 1329 or 1330, by a grant from Pope John the twentie-ſecond.

ROBERT Biſhop of St Andrews founded the priorie of St Andrews, and obtained to the citie of St Andrews the liberties of a burgh royall, placing Maynard, a Fleming, the firſt proveiſt thereof, by conſent of King David the firſt, about the year 1140. Nota, in the charter granted by this biſhop to the citie, William Torendell prior of St Andrews is the only witneſs; and ſome think that he was the firſt prior; but the Scoti Chronicon names him not.

ARNOLD was the firſt Biſhop of St Andrews who was legatus a latere, the office being reſigned to him at his promotion to this ſee by William Biſhop of Murray, then the Pope's legate, at command of Pope Eugenius the third, [ſayes Spotſwood. But that Pope was dead ſome years before. Therefore, if he had a pope's command for it, it behoved to be Anaſtaſius the fourth, or Adrian the fourth.] The MS. beforementioned

ſayes,

ſayes, that one Andrew who preceeded this Biſhop in this ſee was the firſt legate a latere in Scotland. This Arnold founded the cathedrall church of St Andrew in Kilrewle, in the time and preſence of Malcolme the fourth, about the year 1159, and then gave to the prior and chanons of St Andrews, who were of the order of St Auguſtine, certaine lands, quarum reditibus ſacra tuerentur ut ibi eſſet ſedes totius epiſcopatus, the MS.

RICHARD, in his time was the church of Scotland declared free of all ſubjection to the ſee of York by a ſentence of Pope Alexander the third, the Scots biſhops conſecrating this Richard themſelves. [He is called epiſcopus bonus, et eccleſiae Scoticanae inſigne columen, qui eam ab omni damno in ſua libertate defendit. He lived in the dayes of King William the Lyon.]

ROGER, [cognatus Gulielmi regis Scotorum, et regni cancellarius, filius Comitis Leiceſtriae, was conſecrate anno 1198. Chron Melroſs.] He firſt built the caſtle of St Andrews, about the year 1200. It was after that quite demoliſht by Andrew Murray, who took it from the Ingliſhes who keept it for a garriſon. The biſhops of this ſee in their charters call the caſtle of St Andrews, Palatium noſtrum.

WILLIAM MALVOISIN recovered the rents of this ſee being alienated by his predeceſſors, advanced the fabrick of the cathedrall, and ſuffered none to uſurp upon the church and its poſſeſſions. He was chancellor of the kingdome, and crowned King Alexander the ſecond; and chriſtened him alſo, ſayes ſome. He brought home out of France ſome Dominicans, Franciſcans, Jacobines, and of the monks called Vallis Umbroſae, not known here before, who by their craft and pretenſions to ane auſtere life, ſupplanted the credit of the prieſts, and were upheld by the Pope, whoſe deſigns they advanced. This biſhop founded the hoſpitall of Lochlevin, called Scotland Well, dedicated to God and the bleſſed

virgine, for the maintenance of poor people reſorting thereto, cum terris, decimis, obventionibus, oblationibus, et omnibus aliis ad eandem eccleſiam Urch-hitihumeneſin [the kirk of Moonzie] pertinentibus (ſalvis nobis et ſucceſſoribus noſtris ſynodalibus) ſayes the foundation, which was about the year 1230.

DAVID BENHAM or BARNAM, keept a ſevere hand over the clergie, eſpeciallie the monks and religious orders. And in ane aſſemblie holden at Perth anno 1242, with the king's conſent and in his preſence, made good acts for reforming of abuſes and ſecuring the clergie in their poſſeſſions and rights. As he travelled to Rome he was taken priſoner in Germany by the Emperor Frederick the ſecond, and diſmiſt upon his promiſe to return home, which he keept. He confirmed Biſhop Malvoiſin his foundation of the hoſpitall of Scotland Well, by a charter dated in craſtina circumciſionis domini anno 1250, bearing, Nos dictam domum cum omnibus pertinentiis et libertatibus ſuis, cum omnibus reditibus et bonis mobilibus et immobilibus ad eandem ſpectantibus, Deo, beatae Mariae, et fratribus ordinis Stae Trinitatis et captivorum, dedimus, &c. ſtatuentes, ut in dicta domo praefatus ordo Stae Trinitatis et captivorum in perpetuum obſervetur. Bona autem immobilia, viz. locum ubi fundata eſt praedicta domus, cum aedificiis et aliis pertinentiis ſuis, eccleſias de Krichucumneſin et de Kernech, et terram de Findachen, et Kilnegad, per ſuas rectas diviſas, et alia mobilia et immobilia dictae domui nunc collata, vel quae miniſter et fratres ejuſdem juſtis modis in poſterum adipiſci poterint, ipſis fratribus, ratione patronatus et authoritate epiſcopali, concedimus et confirmamus ad ſui ipſorum ſuſtentationem, et pauperum hoſpitalitatem, ſecundum ſtatuta ordinis ſui facienda, et haec teneant, poſſideant, &c. ſicut puram et perpetuam eleemoſynam, &c. [He was ſent to York with divers of the Scots nobilitie to ſee the marriage of King Alexander the third of Scotland and Margaret

ret eldeſt daughter of King Henry the third of England duly performed, the king being then about ten years of age. The biſhop died of a fever May 1, 1251, having ſat thirteen years and three months. He was buried in the abbey church of Kelſo, and had been the king's chamberlane.]

GAMELINUS his entrie to the ſee was much oppoſed. He refuſed the king's command to abſolve Sir John Dinmoore, who was excommunicate for oppreſſing the prior of St Andrews, except ſatisfaction were made for the offence, for which the biſhop was ordered to depart the kingdome. In his time the Carmelite friars came into Scotland. He oppoſed the Cummins, who ruled the court in his time. He was abſolved of all the crimes objected to him by the pope's legate, who was judge thereof; [others ſay by the Pope himſelfe.] Thereafter he was baniſht and recalled by King Alexander the third. He was once chancellor of Scotland, but enjoyed the place only a ſhort time.

WILLIAM WISHART Biſhop of St Andrews was preſent in the councill of Lyons. In his time the power of electing biſhops was transferred from the Culdees to the clergie; and Bajamont the legate came here from Rome and taxed all the benefices in the kingdome by a table, called afterwards Bajamont's rolls. This biſhop was in eſteeme for his virtues, piety, learning, and eloquence, that nothing was done in church or commonwealth without him. He was ſent ambaſſador to France [with William Biſhop of Dunkeld] for renewing the league, and to treat a marreage with the French king's daughter, [i. e. Philip the third, ſirnamed the Hardy,] to our King Alexander the third then a widower. He advanced the cathedrall verie much, and furniſhed it with all neceſſaries. [I find this character of him: Fuit virtutis et pietatis ornamentum; erudita facundia, et docendi aſſiduitate, ortu, eruditione, caeteriſque virtutibus epiſcopalibus nobilis, &c.]

WILLIAM

WILLIAM FRASER was elected biſhop by the clergie, not by the Culdees. He with the Earles of Fife and Buchan were made governours of Scotland benorth Forth after the death of King Alexander the third. Thereafter he was ſent into France to renew the old league betwixt the kingdomes, and was chancellor of this. He died at Artevile in France. But his heart by his command was brought home to St Andrews, and being put in a ſilver boxe was buried, by Lamberton his ſucceſſor, in the wall of the cathedrall church near Gamelinus's ſepulchre. This biſhop ſought by all means to better the ſtate of the church. And at his firſt admiſſion, ſays Spotſwood, he purchaſed the priorie of May from the abbot of Reading in England, which he gave to the prior and chanons of St Andrews [who gave it to the priorie of Pittenweyme.]

WILLIAM LAMBERTON [was firſt Biſhop of Glaſgow and chancellor, and afterwards choſen Biſhop of St Andrews, and tranſlated thither November 9, 1317.] His election was vehementlie oppoſed by the Culdees, ut vide, chap. iv. ſect. 1. In this biſhop's time the Red friers, called Templars, conſtitute by Baldwin King of Jeruſalem 200 years before for the defence of that citie, were ſuppreſſed for their inveighing and exclaiming againſt the corruptions of the church, by means of Pope Clement the fifth, and their eſtates were given to the hoſpitallers and knights of St John. This biſhop at firſt ſwore fealtie to Edward King of England; but thereafter in favour of Robert Bruce his cauſe. He gave his money and horſes to James Douglas [ſone to William Lord Douglas, ſirnamed the Good,] who went and joined with King Robert. He repaired his palace, i. e. the caſtle of St Andrews, built Moniemeall, Torrie, Dairſy, Inchmartach, Muckhart, Kettnis, Linton, Monymuſk, and Stow in Tweddale, as houſes for himſelfe and his ſucceſſors. He finiſht the cathedrall church, [which is called nova eccleſia cathedralis metropolitana et conventualis], and did dedicate the ſame with great ſolemnitie

lemnitie anno 1318, in preſence of King Robert the firſt, ſeven biſhops, fifteen abbots, and many of the nobilitie. He adorned the chapter-houſe with curious ſeats and ceeling, furniſht the chanons with veſtments for their ſervice, and their librarie with books, and at the dedication of the church, he procured from the king ane annuitie of 100 merks to the abbey furth of the exchecker, which was afterward redeemed by the gift of the church of Fordun in the Merins. He gave to the prior and chanons of St Andrews the churches of Dairſy and Abercrombie. The MS. ſayes of him, erat vir incredibili prudentia, genere autem illuſtris, ſed doctrinae, virtutis et eruditionis nomine illuſtrior. [He ſat biſhop thirtie years here, and died June 17, 1328.]

WILLIAM LANDELLS Biſhop of this ſee, [being after the chanons election conſecrate by Pope Benedict the twelfth,] was taken captive with King David the ſecond at the famous battle of Durhame, anno 1346, and thereafter ranſomed. This biſhop procured an abolition of the old and ill cuſtome, that the king's officers ſeized upon all the moveables of biſhops when they died, as belonging to the king; and procured libertie to all prelates to diſpoſe of their goods by teſtament to whom they pleaſed, and if they ſhould die inteſtate that their neareſt of kin ſhould have right thereto, which priviledge he firſt enjoyed himſelfe. This biſhop was noblie born, and heir of great poſſeſſions, of a generous mind, and was given to all goodneſs, ſays Spotſwood: and the written book of the biſhops and archbiſhops hath a verie high commendation of him. In his time the cathedrall church of St Andrews was burnt. Ford. Scoti Chron. lib. vi. cap. 45. [He was biſhop fortie-four years.]

WALTER TRAILL (after a noble epithet from Pope Clement [the ſixth] at Avignon, that he deſerved better to be pope than biſhop, and that the place was better provided than the perſone), was preferred to the

ſee of St Andrews, and had the affairs both of church and ſtate caſt upon him, which he moſt wiſelie and happilie mannaged. He repaired and built a great pairt of the caſtle of St Andrews, where he died. The MS. ſayes that he built a magnificent cell in the new cathedrall, betwixt the pulpit and Biſhop Lamberton's tomb. This biſhop is called Papae referendarius, idem quod relator, a referendo ſupplicibus reſponſa; ideo ſic dictus, quod ad eum univerſae publicae deferentur conſcriptiones, quas ipſe ſigillo ſibi commiſſo muniret. In ſome things this office was like the maſter of the queſts, and in others near the office of chancellor. This office was brought in by Juſtinian, and keept up both by the Roman emperors in the great church of Conſtantinople, and by the kings of France, who for a long time had no other chancellor; therefore the office hath been near the ſame. This office was alſo in uſe in England. Plura vide in Spelman's Gloſſary.

After this Biſhop Traill's death, in 1401, THOMAS STEWART, ſone to King Robert the ſecond, uncle to King James the firſt, was elected to this ſee. But he affecting a retired life, refuſed to accept; till whoſe death the chapter would make no new election; ſo the ſee was vacant ſome years.

HENRIE WARDLAW, Doctor of the canon law, precentor of Glaſgow, [Vir ſanctimonia vitae apud omnes probatiſſimus, ſaith Camerarius,] and nephew to Walter Wardlaw Biſhop of Glaſgow, cardinall, was promoted to the ſee of St Andrews [circa annum 1404.] His memorie is ſullied for the death of John Reſby and Paul Craw, who were condemned and burnt for ſome opinions derogatorie to the papacie; yet he was ane excellent man, and repreſſed many diſorders that had creept in among the clergie, and was ſo extremelie addicted to hoſpitalitie, that being aſked by his ſervants whom he would firſt name and ſet down to be entertained at his houſe, he anſwered, Fife and Angus.

He

He built the ſtone bridge at Edenmouth, called the Guard-bridge, the faireſt in Scotland, except that at Glaſgow and at Dee. He firſt opened the public ſchools at St Andrews anno 1411 (the ſame year that the battle of Harlowe was fought), [with the conſent of the then prior, chapter, and archdean of St Andrews after named. The erection is dated penult. Feb. that year, ſecundum curſum et computationem eccleſiae Scoticanae. And at the ſame time, and by a gift of the ſame date, he granted them their priviledges, as may be ſeen in the univerſitie regiſter, MS. parchment, bound black and claſped, beginning fol. 36. Nota, the principall grant of the priviledge bears, Salvis privilegiis, libertatibus, et conſuetudinibus domini prioris et capituli cathedralis eccleſiae Sti Andreae, ac archidiaconi ejuſdem in ipſorum baroniis infra civitatem Sti Andreae.] The great end and motive of the erection was that the youth of this kingdome might be educate in learning at home. He was aſſiſted in his enterpriſe by many learned men then in St Andrews, eſpeciallie James Biſſet prior and archdeacone of St Andrews, Thomas Stewart, and others. He gave great priviledges to the profeſſors and ſtudents and their ſervants, [in a ſolemne and ſpeciall writ, entittled, Conceſſio privilegiorum univerſitatis, &c. ſealed with the chapter ſeall, and dated apud St Andream in domo capitulari eccleſiae cathedralis penult. Feb. 1411. which priviledges were ratified by the pope and by moſt of our kings ſince that time; yea and by ſome of our archbiſhops, as by William Shevez, who granted a confirmation of theſe priviledges, dated June 2, 1479. Vid. the ſame, fol. 18. (pagina verſa) in the black parchment book.] Anno 1413, Mr Henrie Ogilvie being ſent to Arragon to Benedict the thirteenth (to whom Spain and Scotland adhered in the ſchiſm that then obtained) by this Biſhop Wardlaw, at his returne brought moſt ample priviledges, and ſuch as uſed to be conferred upon colledges, [the pope having ſent hither at that time theſe writs; Imprimis, Bulla fundationis univerſitatis

univerſitatis Sti Andreae. Item: Bulla conceſſionis privilegiorum univerſitatis Sti Andreae. Item: Confirmatio privilegiorum univerſitatis Sti Andreae, containing Biſhop Wardlaw his erection inſert. Item: Bulla conſervatoria univerſitatis Sti Andreae. Item: Bulla executoria. Item: Bulla relaxationis juramenti ſuppoſitorum, all of them dated 15 Kal. Septembris et pontificatus 19o.] Thir public ſchools I find called generale ſtudioſorum virorum Gymnaſium Sti Andreae de Kilrymonth; and that, convenerunt ad id undique viri doctiſſimi, maxime poſt Jacobi I. regis reditum. He cauſed divinitie, laws, and all pairts of philoſophie to be taught there, taking the example of his foundation from that of the univerſitie of Paris, founded near the end of the eight centurie by Joannus Scotus, Claudius Clemens, Rhabanus Maurus, and Flaccus Alcuinus, all Scotſmen, ſent by Achaius to Charles the Great to conclude the famous league betwixt Scotland and France to the mutual honour of both. The pope's confirmation of this foundation, [and the other bulls above mentioned, was received at this place with ſolemne proceſſions, bonefires, ringing of bells, and all expreſſions of joy; and preſentlie profeſſors were eſtabliſhed, who are named by Spotſwood and Boethius. King James the firſt after his return from England, did much encourage and advance the work, and for that effect brought in the Carthuſian monks [to Scotland.] The MS. adds, Convenere tredecem doctores theologi, decretorum octo, aliarumque artium plurimi profeſſores, doctoratus omnes inſignibus honeſtati. Theſe ſetled firſt at St Marie's, now called the New Colledge, but then the Pedagogie, [which was gifted and mortified to the maſters of the univerſitie, deſigned in the mortification thus, Decano facultatis artium, facultati, et ejuſdem ſingularibus perſonis qui pro tempore fuerunt in univerſitate Sti Andreae, by the ſame Henry Wardlaw his charter, dated 9 April 1430.] I find this character given of Biſhop Wardlaw: Erat ſeverus et gravis luxuriae reprehenſor

henſor et caſtigator, ut videre eſt ex acri illa et acerba inſectatione, qua in corruptos gentis noſtrae mores in frequentiſſimo ordinum conventu, et in praeſentia Jacobi regis I. invectus eſt. Wardlaw died 1440 [or 1444,] and was buried in ſacello divae virginis juxta periſtylion templi coenobitarum.

JAMES KENNEDIE Biſhop of Dunkeld, ſiſter's ſone to James the firſt, at the time being at Florence with Pope Eugenius the fourth, was [non tam omnium conſenſu quam deſiderio,] choſen Biſhop of St Andrews. Upon his tranſlation to this ſee he put things therein to a moſt excellent order by his example and ſtrict diſcipline, being a patern of virtue to the clergie, and a ſupporter of the king and kingdome by his counſell, eſpeciallie at the inſurrection of the Earles of Douglas and Crawfoord againſt King James the ſecond, which once ſo terrified the king that he determined to leave the kingdome: But this excellent biſhop diſunited the rebells, broke their forces, reſtored the king to his eſtate, and the kingdome to peace. He was created chancellor of the kingdome anno 1455. Such was his prudence, that in the beginning of King James the third his reigne, affairs being extremelie embroiled and perplexed, no harme came to the ſtate in his time: But after his death, anno 1465, all things both in church and ſtate went to confuſion. He was curator to King James the third, who miſſed him to his great loſs. I find him charactered thus: Vir prorſus ſingularis, et quo nunquam ullus praeclarius de rege aut republica Scotorum meritus eſt; principem, factione nobilium fere oppreſſum, erexit et firmavit; diſciplinas vagas et palantes, ſplendidiſſimo iis hoſpitio extructo, ſuſcepit, et lautiſſimo ſtipendio iis conſtituto fovit et benigne habuit. Ejus opera, lites quae inter rectorem academiae et praetorem urbanum, ſuper privilegiis academiae quibus in Andreapoli gaudere debet, exortas, anno 1444 compoſuit. The written piece of the biſhops and archbiſhops of this ſee ſpeaks moſt honourablie of him thus:

Supra quam dici poteſt nobilitate inſignis, &c. Buchanan, ane author ſparing enough of commendations, eſpeciallie of biſhops, being himſelfe a Puritane and inveterate enemie to all ſuch and the hierarchie, is more profuſe in his praiſe than any man elſe; yea than of his [patrone and] darling the Earle of Murray the regent. So worthie a prelate was Kennedie, that all our hiſtorians conſpire to extoll him, and write panegyricks of him. There are three great works reckoned to have been done by him. 1o. The building of St Salvator's colledge, endowing it with competent revenues (ex reditibus eccleſiae, ſays Buchanan), and furniſhing it with coſtlie ornaments [and rich utenſils, of a great value, whereof ſee the inventarie in the regiſter of the univerſitie of St Andrews; item in a MS. in 4to. apud me; which colledge he firſt founded by his mortification and inſtrument of foundation dated 14, and got the ſame confirmed by Pope Nicholas the fifth, as the bull of confirmation dated bears. But thereafter this worthie perſone by a new and ſecond foundation, altered and changed the firſt in ſome points. It is dated April 4, 1458; which was alſo confirmed by Pope Pius the ſecond by his bull dated Id. Sept. 1458.] 2o. The building of that famous monument and ſepulchre for himſelfe (mirabili ſtructura confectum, ſaith the MS.) in the neat and handſome chaple of that colledge. 3o. His vaſt great ſhip of great burden: All reported and believed to have been equallie expenſive. He called John Aldmaire, alias Athilmare Doctor of theologie from Paris to be proveiſt of the colledge, who was dean of the facultie of theologie here afterwards, and to teach there literas humanas et divinas. He furniſhed the colledge, ad uſum in ſacris, calicibus, urceis vel annulis, phialis, pateris, pelvibus, cantharis ad lavacrum, candelabris, Salvatoris effigie duos prope cubitos longa, thuribulis, acereis, crucibus, aliis quoque vaſibus ex argento auroque fabricatis; ſacerdotum ſtolis, cappis, Dalmaticis tunicis, caſulis (alias planetis, genus veſtis

veſtis in ſacris hodie ab utraque parte conciſa uſurpatus, ante et retro, tantum producitur uſque ad talos) ex auro argentoque textili villoſa byſſo palmata undulata, campanis, tintinnabuliſque multis dulce ſonantibus, auleis byſſinis tapetibus ad templi et publicarum aedum ornatum; et verbo, nihil intus, nihil extra quod magnum ſumptum et apparatum conditoris pro dignitate et animi magnificentia non oſtenderet. His exinterate bodie, embalmed with ſpices, lies in the foreſaid curious ſepulchre he provided and built for himſelfe, upon the north of the high altar in St Salvator's church *.

PATRICK GRAHAME, brother uterine to Kennedie, ſays Buchanan and trulie, but according to others his nephew, Biſhop of Brechin at the time, was not only Kennedie's ſucceſſor, but was alſo the firſt archbiſhop of this ſee, which was procured at Rome from Pope Sixtus the fourth to ſilence the Archbiſhop of York his pretenſions to a juriſdiction over the Scottiſh church. Grahame returned to Scotland from Rome [anno 1472] with a legantine power for three years, to reform all abuſes among the clergie, and to cauſe them amend their wicked lives; but was extremelie oppoſed both by the court and church, ut in Buchanan, lib. xii. aliiſque eſt videre. His ſingular and eminent patience is moſt remarkable, and his chriſtian fortitude, well expreſt under his manie and great troubles, which were theſe. His long conſtrained ſtay at Rome for fear of the Boyds' intereſt at court; the oppoſition he met with from the court who made ſale of church livings, and from the clergie high and low who feared rigour in the execution of his legation; the inhibition from the king to exerce any pairt of it; the ſpite and malice of William Shevez [then archdeacone of St Andrews,] firſt his adverſarie, then adjutor, and at laſt his ſucceſſor; his excommunication by Shevez and Locky, rector

* This beautiful ſepulchre is much deſtroyed. What now remains is the moſt exquiſite workmanſhip of any of the ruins at St Andrews. The epitaph, conſiſting of two lines, is ſo defaced as to be perfectly illegible.—*Editor.*

rector of the universitie of St Andrews; the confiscation of his goods; sequestration of his servants; his being condemned guiltie of heresie, schisme, and simonie; his divers imprisonments in the castle of St Andrews, Inchcolme, Dumferling, and Lochlevin, where he died; all which he sustained most patientlie like a great prelate, and took all in good pairt, even from his enemies the clergie who feared a reformation. Buchanan, lib. xii. p. 423. saith, Rector, fretus Romani pontificis privilegio quo a jurisdictione Patricii erat exemptus, a sacris interdicit: and, p. 424, he thus characters this prelate; Vir nullius sceleris compertus, doctrina et virtute nemini sui temporis inferior.

Bishop Leslie asserts, that Grahame's bulls of primacie and legacie were published, as Buchanan says, Sept. 1472, and that the same was done maximi populi nobiliumque laetitia celebrata. And for the rest of the passages, according to his custome, he touches them very shortlie, not differing very materiallie from the common accompt, only he makes not Shevez so instrumentall in Grahame's miserie nor so much his enemie as other authors give him out to have been.

For all the affliction and disquiet the prelate met with, I find in a decreet pronounced by Archbishop Grahame and some assessors, in a provinciall synod or councill holden upon the 3d or 17th of July 1470, for composing differences arisen upon a bull of Pope Paul the second, betwixt Mr John Locky rector of the universitie and John Athilmare or Aldmaire the first proveist of St Salvator's colledge. He is designed thus: Dei et apostolicae sedis gratia, episcopus Sti Andreae, conservator privilegiorum ecclesiae Scoticanae. [He sat bishop eleven years.]

William Shevez first was archdeacone of St Andrews, and then the first that was peaceablie archbishop. Vir doctus et excellens cognitione medicae artis, et rei astronomicae imprimis peritus, multa valuit authoritate et gratia apud Jacobum III. saith Dr Howie. He is taxt by our writers

writers for his malice againſt Grahame his predeceſſor, and his uncleanlie entrie to the ſee. Yet Spotſwood, though a ſevere cenſurer of him in theſe two heads, reproves nothing in his adminiſtration. He received the pall (pallium) as the ſymboll of the archiepiſcopall dignitie, and was moſt ſolemnelie and honourablie inveſted in the church of Halyrood-hous, in preſence of the king, the biſhops, and many of the nobilitie, [anno 1478.] He prevailed againſt Robert Blacater Archbiſhop of Glaſgow, in the controverſie concerning the primacie. The MS. ſaith of him, in aſtrologia, theologia et medicina, tales tantoſque fecit progreſſus, ut aetate ſua vix parem ei produxerat Gallia aut Britannia noſtra. It is reported of him, that falling out of court with King James the third (for a peace he concluded in England, the Biſhop of Dumblane, the Earle of Arguill, and Lord Avendale chancellor, anno 1482, with the Dukes of Gloceſter and Albanie) after the king's being ſet free from priſone, he was perſwaded or compelled to quite the archbiſhoprick of St Andrews in favours of Andrew Stewart proveiſt of Lincludden, [and ſone to Sir James Stewart, called the black knight of Lorn, and Lady Jean Beaufort King James the firſt his widow, whom Sir James married. Of this Mr Andrew Stewart ſee the royall genealogie of Scotland;] and ſo Shevez, as ſome ſay, became Biſhop of Moray only for his life. But to prove this a miſtake, Spotſwood aſſerts that they both poſſeſt their owne benefices till their deaths: Alſo I have ſeen charters granted by him ſome years after. The charter granted by King James the third confirming the golden charter, ut ſupra, chap. vii. ſect. 2. makes honourable mention of this archbiſhop and of his ſervices to the king. He put the body of St Palladius in a ſilver ſhrine, in the kirk of Fordun in the Merins, anno 1494; which ſhrine was afterwards ſacrilegiouſlie meddled with by Wiſhart Pittarro, after which the familie never proſpered, as Spotſwood obſerves, p. 17. Shevez died anno 1496, and was buried in the cathedrall church of St

Andrews over againſt the high altar, in a monument of braſſe provided for him.

ALEXANDER STEWART, naturall ſone to King James the fourth [and Mary Boyd, daughter to Robert Lord Boyd, or Robert Boyd of Benſhaw,] after he had ſtudied nine years with Eraſmus in [Flanders and] Holland, at his returne was made commendator of Dumferling and Coldinghame, and after was promoted to the ſee of St Andrews, [and was chancellor to his death.] A character of him from his old maſter may be ſeen in his Chiliads, ad adagium illud, Spartam quam nactus es hanc orna. [It runs thus: Ei mira formae gratia, mira dignitas, heroica proceritas, ingenium placidiſſimum, ſed tamen ad cognitionem omnium diſciplinarum acerrimum, &c. And as it were in ane extaſie he exclaims, Quam velox et quam felix ad quodvis ingenium, &c. ut ad literas felix ita ad bonos mores appoſitus, verecundi mores, animus ſublimis, &c.] He augmented the ſtipends of the profeſſors in the paedagogie, which formerlie were but ſmall, and gave to them the fruits of the church of St Michael of Tarvet, near Cowpare. He rebuilt the chaple of St John the evangeliſt in the paedagogie, which had fallen; but where it ſtood is now uncertaine. His armes are to be ſeen on the bibliothek, on the north wall thereof to the ſtreet. He was killed at the battle of Flowden with King James the fourth his father, anno 1513. In this archbiſhop's time, John Hepburn, viz. in 1512, founded St Leonard's colledge, of whom I find this ſaid: Hic cum de ſemente coenobii ſui ſollicitus eſſet, eademque opera, et eccleſiae et reipublicae Scoticanae conſultum vellet, ex reditibus Zenodochii (quod peregrinis ſuſcipiendis qui ad reliquias divi Andreae viſendas et ſalutandas frequentes olim huc veniebant, conditum fuit) et proventibus paroeciae divi Leonardi, et aliis proprio impendio acquiſitis, collegium iſtud fundavit et erexit. Coenobiarchae inſtitutum Alexander Stewartus archiepiſcopus probavit, et literis ſuis et ſigillo munivit.

nivit. In the time of this archbiſhop, Biſhop Leſlie will have Bajamont the pope's legate to have come into Scotland for taxing the church livings: but this muſt be a notable miſtake in this author; for, ſome thirtie years before that, in the time of King James the third, in the 43 act of his 6 parliament, anno 1471, mention is made of Bajamont's taxation; and it is there called ane old one. Therefore, it is to be concluded, that this legate came to Scotland for the purpoſe aforeſaid in time of Biſhop William Wiſhart, ut ſupra; [that is, in the days of King Alexander the third.]

JAMES BEATOUN [ſixth ſone to John Beatoun of Balfour, by Marjory Boſwald, a daughter of Balmont's] Archbiſhop of St Andrews, was a great favourite of King James the fourth, and was often employed by him in embaſſies. In King James the fifth his minoritie he was chaſed from the court, yea and his owne dwelling, by Archibald Earle of Angus and the Douglaſſes, and was put to lurk among his friends to evade their furie and violence; [yea and to be a ſhepherd at Balgrumo in Fife ſays Mr Robert Lindſay of Pitſcottie in his MS. addition to Hector Boethius.] But at their diſgrace and baniſhment into Englande he was reſtored to all. In this archbiſhop's time many perſones ſuffered and were burnt as hereticks for adhering to the reformed religion, although he was not violent that waye himſelfe nor cared much how the church went. Towards the end of his dayes he committed the care of church affairs to his nephew David Beatoun, afterwards cardinall; and a litle before his dearh he began to build the New Colledge of St Andrews. Et paedagogium variis proventibus a ſe auctum, in collegium Marianum tranſmutavit, voluitque ut profeſſores et alumni eadem menſa deinceps uterentur. Statuerat aedes paedagogii, et veteres et ſtudiis adoleſcentium minus commodas, demolire, et a fundamentis magnificentius extruere; ſed morte fuit preventus, varias tamen partes ſtruxit, et ab aliis inchoatas et nondum abſolutas, conſummavit. Dicitur et primam pyramidem turri Salvatorinae impoſuiſſe,

impoſuiſſe, et quidem reum voti quod olim in collegio Salvatoriano cum operam literis daret emiſerat, promittens fore (jam tum majores ſpes et ampliorem fortunam non praeſumens) ut cum ad epiſcopatum Andreapolitanum eveheretur, iſtud effectum daret. But the New Colledge was not finiſht in his time, nor were the means he provided for it applied to that uſe. He deſigned and named ſucceſſors in all the benefices he enjoyed, which were both many and rich; among others his nephew David Beatoun to the archbiſhoprick of St Andrews and the abbacie of Ardbroth. This Biſhop James Beatoun was in great eſteeme with King James the fifth, and is by ſome extremelie praiſed and commended. He pronunced the ſentence of divorce betwixt the Queene dowager and the Earle of Angus her huſband, and confirmed the marreage between King James the fifth and Mary of Guiſe his Queene. [This archbiſhop is charactered, Honeſto loco natus, ſacra et profana eruditione clarus, pietate etiam et religioſa vita conſpicuus, intuitu virtutis et meritorum gradatim ad ſummos honores aſcendit; maximis etenim reipublicae honoribus, ſummaque gloria, apud nos quam diutiſſime floruit; quantum caeteris omnibus ſuae aetatis viris clariſſimis pariter et illuſtribus prudentia, ac rerum tractandarum ſcientia praecellerit, nemo eſt qui ignorare merito poſſit. He was many years chancellor while Archbiſhop of Glaſgow, and continued for ſome time after he was tranſlated to this ſee. He was archbiſhop ſeventeen years.]

David Beatoun [third ſone to John Beatoun of Balfour and Elizabeth Monypenny,] ſucceeded his uncle in the ſee of St Andrews and commendatorie of Ardbroth. He was created cardinall by Pope Paul the third, and epiſcopus mirapicenſis by the king of France, anno 1538, while he was firſt ambaſſadour there for anſwering the calumnies of the Engliſh and for renewing the old league. He was ambaſſadour to France the ſecond time to treat of the king's marreage with Mary of Guiſe.

How

How much he was addicted to ambition appears in this, that ſhort while after his inſtalment he conveened at St Andrews four earles, four lords, many barons, five biſhops, four abbots, many priors, deans, and doctors of the clergie and theologie, and in a public meeting of all, as cardinall, he had his ſeate raiſed and erected above the other ſeats. To expreſs his enmitie againſt thoſe he called hereticks, he cauſed burne many perſones, and Sir John Borthwick in effigie. He diverted King James the fifth from the appointed interview betwixt him and Henry the eight of Englande his uncle, at York, for fear of King Henry's advice to his nephew about religion. He cauſed a prieſt counterfeit the king's teſtament after his death; at leaſt lead the dying king's hand at his ſubſcriving a paper wherein he was named the firſt governour of the kingdome, which took no effect, for the impoſture was diſcovered; yet the deed was publiſhed at Edinburgh. His ſucceſſor, Spotſwood, calls him ambitious beyond meaſure; and, in puniſhing thoſe he called hereticks, more than inhumane. His titles and deſignations in charters run thus: David miſeratione divina Sti Stephani in Coelio monte de urbe Stae Romanae eccleſiae preſbyter cardinalis, Sti Andreae archiepiſcopus, totius regni Scotiae primas, et apoſtolicae ſedis legatus natus, mirapicenſis eccleſia in Gallia adminiſtrator, ac commendatorius perpetuus monaſterii de Ardbroth. The more to aggrandize himſelfe, upon the 16th day of November 1539, he wrote to Mr Andrew Olyphant vicar of Fowlis, his agent at Rome, for a brieve, that as primate he might have his croce carried before him per totum regnum Scotiae, et in dioceſi et provincia Glaſguenſi, et aliis locis qualitercunque exemptis, cum derogatione exceptionum earundem ad effectum deferendi crucem duntaxet et non alias, et abſque exceptionum earundem prejudicio. Theſe are the words of the letter, which is dated at Kelſo. [He had a commiſſion to be chancellor by the queene and regent, dated the 10 Januarie 1542; but he

accepts it not till the 13 December 1543, that it was delivered to him in parliament; and he continued chancellor till his death.] He defeated the deſign of the marreage of Edward Prince of Englande with our young Queene Mary, and fruſtrated Sir Ralph Sadler (King Henry the eight's ambaſſadqur) his wilie and ſubtle negotiations for that effect. He being committed to the caſtle of Dalkeith a priſoner, removed from that to Seatoun, and without warrant or authoritie he went thence to St Andrews, taking his owne libertie. By his cunning the Earle of Arran, then governour of Scotland, againſt his promiſed faith and obligations, and againſt gratitude, was firſt brought to forſake England's intereſts, and then to join the cardinall; and, at length, by his craftie practiſing with and for France, and the Queene dowager, he contrived the governour's fall, at leaſt a demiſſion of his office, although that did not happen till after the cardinall's death. He attempted the work his uncle had begun about the New Colledge, to adorn and enlarge the ſame; and having demoliſht ſome old buildings, he laid the foundation of a handſome church, within the colledge; but his barbarous murder occaſioned the work to be abruptlie left off, as alſo his deſigned reparations about the caſtle of St Andrews. He gave to the New Colledge the kirk of Inchbryock. [He was murdered 29th May 1546, aged 52 years. All his murderers are ſaid to have died violent deaths.]

John Hamilton Archbiſhop of St Andrews, deſigned both legatus natus and legatus a latere in ſundrie charters, by moſt is accompted baſe brother to the Earle of Arran, governour; but Biſhop Leſlie and the MS. of the biſhops and archbiſhops of St Andrews, call him gubernatoris germanus. Before he was promoted to this ſee he had been theſaurer of Scotland, Biſhop of Dunkeld, and was then Abbot of Paiſley; at which church he built a prettie handſome ſteeple, which fell before it was well finiſht. He prevailed with the Earle of Arran at length to leave and forſake

forſake the Engliſh intereſts, that were hotlie purſewed in this kingdome, and to join himſelfe to the Queene dowager and the French partie and intereſt, whereto he was much addicted himſelfe: alſo to demitt the regencie he procured the young queene's ſending into France; thereafter he made no great noiſe, and was ſcarce more a ſignificant figure in the ſtate after the reformation gote anie footing in the kingdome. He was zealous in the defence of the Catholick religion and in maintenance of the ſee. Witneſs the charters granted by him to the moſt conſiderable vaſſells cited and narrated ſupra, chap. vi. ſect. 6. and chap. viii. ſect. 4. After Januarie 1562 he was made priſoner in the caſtle of Edinburgh for hearing and ſaying of maſs; and in December 1566 he was reſtored to his ancient jurisdiction of confirming teſtates and collating to benefices. In 1569 James Earle of Murray, regent, was killed by Hamilton of Bothwelhaugh, who had lurked at this prelate's lodging at Linlithgow. He always adhered to the lords of the queene's faction and partie, and was at length ſurprized with ſome others in the caſtle of Dumbarton; from thence ſent to Stirling, and hanged in Aprill 1571 upon a gibbet erected for the purpoſe. He was ſuſpected of, and charged with, the death of King Henry Earle of Darnlie, and the Earle of Murray, regent; but was not condemned upon any of theſe points, nor was the ordinarie forme of triall uſed, though he earneſtly deſired it, but only hurried away to death on the forfaulture led againſt him in parliament many years before. I find him called Vir prudens et egregie doctus. And in his time and at his command, a large catechiſme in Engliſh, about 700 pages, containing the Popiſh doctrine, was printed; and it is compted a learned peece both by Catholicks and Proteſtants. And further to his praiſe the panegyrick on the benefactors to the univerſitie of St Andrews hath this of him: Hic collegium Marianum, quod duo Betonii aedificiis ornare et proventibus augere conſtituerunt, eadem benevolentia complexus,

plexus, quod ipſi facere apud ſe ſtatuerunt, ipſe praeſtitit; unde fundator iſtius collegii cenſeri voluit. Joannem Rhetorfortem, Ariſtotelicae philoſophiae clariſſimum interpretem Lutetiae Pariſiorum, ad collegium. ſuum vocavit: Ricardum Smithaeum, theol. doct. anglum, et Ricardum Martialem theol. licentiatum huc venientes benigne ſuſcepit, et in collegio Mariano docere juſſit. Quum diſciplina collegii antea laxior fuiſſet, et ſtudia vaga et incerta, ipſe certum tempus gradibus ſcholaſticis praeſcripſit, et ſtudiorum tempus definivit. But the MS. ſo often cited before hath this deſcription of him: Antèceſſores ſui male geſta quodam modo ſuperavit. Et Buchanan, homo ſane crudelis et avarus, et in omnem libidinem ſolutus; rege vivo, inter eos hic archiepiſcopus quibus plurimum fidebat, ſincerioris religionis ſtudium prae ſe tulit; rege tamen defuncto, in omnia vitia praeceps ierat, et e multis concubinis unam Gracillidem Sempliam, daughter to Robert Lord Sempill (commonlie called the Lady Gilltoune), nec forma decoram, nec fama alioque integram, nec alia re quam procacitate inſignem, a marito, propinquo ſuo, et gentili, abductam, prope in uxoris juſtae loco, habebat. Her buſband was William Hamilton of Stanhous, who was killed by the French as he returned home from Edinburgh. And I have ſeen copies of charters granted by this archbiſhop to William, John, and James Hamiltons, his three naturall ſones, born of this Grizzel Sempill; and they are deſigned her naturall ſones, but they came all to be forfaulted.

King James the ſixth by his letter of preſentation, dated at Stirling 10 June 1571, directed to Robert, commendator, and the convent of the priorie of St Andrews, narrating, that the lands of Pilmuir, Inchſture, Inchyra, fiſhings and pertinents, ſometime belonging to William Hamilton, naturall ſone to John Hamilton Archbiſhop of St Andrews, or to John Hamilton alſo the archbiſhop's naturall ſone, holden of the priorie, were fallen in the king's hands, and perteined to his Majeſtie by eſcheit

eſcheit and the laws of the kingdome and priviledge of the crowne, through William Hamilton his being borne and dying baſtard, without lawfull airs or lawfull diſpoſition of his lands, or by the proceſs of forfaulture pronuncit againſt his father in parliament for treaſone and leſe Majeſtie; therefore the king preſents to the commendator and convent William Cunynghame, ſone to the Laird of Drumwhaſſell, an immediate heritable tenant to the ſaids lands, &c. Item: this prelate granted a letter of regreſs to Henry Wardlaw of Torrie in September 1556, whereby he obliged him and his ſucceſſors to admitt and receive him heritable tenant againe in theſe lands whenever he ſhould pay to Grizzell Sempill in liferent, and William Hamilton her naturall ſone, &c. certaine ſoumes of money contained in the reverſion granted thereupon to Torrie.

As to this archbiſhop this farther accompt may be given of him, which is not much known: From the authentick bull granted by Pope Julius the third, dated Prid. Non. Sept. 1551, pontificatus 2. in my cuſtodie, wherein the pope conſidering that Archbiſhop John Hamilton could not adminiſtrate the affairs of the ſee by reaſone of a phthiſis that troubled him (for which purpoſe he called the famous phyſician Cardan from Milan to St Andrews, who at length cured him, upon Marie Queene dowager and the Earle of Arran governour of this kingdome their letters); therefore the pope appoints Galvin Hamilton (after Abbot of Kilwinning), of the age of 30 years, coadjutor in the government and adminiſtration of this ſee in temporalls and ſpiritualls, with a yearlie penſion of 400 libs. Scots (making 70 libs. ſterling ſays the bull), ſuper fructibus proventibus, &c. menſae archiepiſcopalis Sti Andreae to be paid by the archbiſhop quorum tertiam partem proviſio ſeu penſio hujuſmodi non excedit; with power to the ſaid Galvin to doe what belongs to a coadjutor, but with the archbiſhop's expreſs conſent. Et dicto Joanne eccleſia cedente aut decedente, aut praeeſſe deſinente, aut illa quovis

modo vacante, the bull bears, Te Galvinum illi in archiepiſcopum praefecimus, et ipſi eccleſiae archiepiſcopum, paſtorem et praefectum fore decernimus, curam et adminiſtrationem in ſpiritualibus et temporalibus committendo plenarie, abſtinendo ab alienatione immobilium et pretioſorum mobilium dictae menſae, et reddendo rationem officii coadjutoris, non ſolum ex diſtricto examine, ſed etiam dicto Joanni. This Galvin Hamilton came never to be Archbiſhop of St Andrews, but only Biſhop of Galloway: But how long he continued coadjutor to this biſhop is not certaine. Yet Alexander Somervaill's charter of the lands of Polduff, granted by this prelate, is with conſent of this Galvin Hamilton commendator of Kilwinning there, deſigned noſtri coadjutoris, et ad dictam ſedem archiepiſcopalem ſucceſſoris canonice proviſi in Sept. 1558. Item: in the Lord Seatoun's charter of the lands of Kirkliſtoun, John Hamilton archbiſhop, and Galvin commendator of Kilwinning, the archbiſhop's coadjutor and ſucceſſor lawfullie provided to the archbiſhoprick, are granters with conſent of the chapter. Nota, this charter is a confirmation of the cardinall's charter of the ſame lands formerlie granted; data confirmatae Aprill 1543, et cartae confirmantis 1557. Item: this coadjutor is granter with the archbiſhop in a tack of teynds of the lands of Winchburgh and Hombie to the ſame Lord Seatoun, dated July 1561. [This archbiſhop in Queene Marie's confirmation of the golden charter is the firſt witneſs, and is deſigned Theſaurarius noſter.] And it is to be obſerved of this archbiſhop, that in his preſentation to Mr John Rutherfoord to be a ſupernumerarie maſter in the New Colledge of St Andrews, he deſigns himſelf Collegii ſcholaſticorum et preſbyterorum in loco, alias paedagogio nuncupato, ſub nomine beatae Mariae erecti, fundator et dotator, dated Aprill 1557. [This Galvin Hamilton being on Queene Marie's ſide in the Earle of Lennox's regencie, was killed in that ſkirmiſh betwixt

twixt Leith and Edinburgh, the fight being between the Earle of Huntlie for the queene, and the Earle of Mortoun for the regent.]

JOHN DOUGLAS, proveiſt of the New Colledge, was promoted to the archbiſhoprick in 1572 by the Earle of Mortoun, on whom the archbiſhoprick was beſtowed in recompence of his expences in ane embaſſie to England, on his owne charges, while the Earle of Mar was regent. In his time, viz. 1574, the aſſemblie inhibited the biſhops to execute any pairt of the eccleſiaſtick juriſdiction, within the bounds where the ſuperintendants ſerved, without their conſent. In 1575 Mr Andrew Melvill in Scotland, firſt ſtarted the queſtion anent the lawfulneſs of the office of a biſhop. Towards the election of this Mr John Douglas, the king and the Earle of Mortoun, thereafter regent, ſent a conge d' elire or letter commendatorie to the prior and convent of St Andrews, dated 26 January 1571, [ſubſcrived James rex, and Mar regent.] And Douglas being elected and promoted to the ſee, he both ſet tacks of teynds and granted charters of lands to his vaſſells. He died 1576. The MS. commends him exceedinglie for his honourable birth; ſkill in the Scriptures (he was the firſt Proteſtant biſhop of this ſee and kingdome); the kings favour; his magnum ingenium ad res magnas accommodatum; his extraordinarie ſcholaſtick, philoſophick, and theologick ſubitltie; his great pietie, and great eloquence in preaching.

It is to be obſerved, that the foreſaid manuſcript book of the biſhops and archbiſhops of St Andrews, upon what ground I know not, but againſt the authoritie of all the hiſtorians of that time and truth too, places this Mr John Douglas after Mr Patrick Adamſone, who undoubtedlie ſueceeded to him, making this Archbiſhop John Douglas to have lived till the 9th of May 1606, and to have been in the ſee thirteen years, two months, and twelve days, and yet gives Adamſone his due time of being in this ſee, but makes one Mr James Douglas (of

(of the ſame ſtation and deſignation with our preſent John) to have ſucceeded Adamſone: But I ſuſpect this is a notable miſtake; for 1o. according to Spotſwood, Howie, and others, John Douglas died in 1576, and ſo thirtie years ſooner than the other accompt would have him. 2o. The univerſitie, eſpeciallie the New Colledge regiſters, give us true meaſures of this John Douglas that he was proveiſt of the New Colledge, and for twentie-three years together rector of the univerſitie before he was promoted to be archbiſhop. Now this being a concurrent and a concordant teſtimonie with thoſe of Spotſwood and Howie, both men alive in the time, concerning his entrie, death, and ſucceſſor, we rather cloſe with that accompt than follow the faith of ane unknown author, [albeit a learned man and a moderate Puritan.] This Douglas did litle in the archbiſhoprick, for Mortoun the regent took up moſt pairt of the revenues.

PATRICK ADAMSONE, a learned and eloquent man, ſucceeded John Douglas in this ſee anno 1576. [He is called divini verbi praeco celeberrimus et fideliſſimus. He was borne in Perth anno 1536. He became ſumms Papanorum hoſtis, inter quos delituit extremo vitae diſpendio.] He was elected by the chapter. Yet after, ſuperintendents were commiſſionate to call him before them, and to prohibit him to exerce any pairt of his juriſdiction till he was authoriſed thereto by the aſſemblie. And now Andrew Melvill buſieth and diſturbeth the church about the policie and diſcipline. In the aſſemblie 1578, commiſſion is given to ſome miniſters to call Archbiſhop Adamſone before them, and to charge him to remove the corruptions of biſhops in his perſone, and to ordaine him and others of that order to ſubmit to correction, and to ſigne certaine articles. He was quarrelled by a generall aſſemblie for giving collation to biſhops, and for voting in parliament; not being authoriſed thereto by the church. In 1584 he was the court preacher; and in 1585 he was ſent ambaſſadour

to

to Queene Elizabeth to inform her of the king's ſinceritie in the Proteſtant religion. [On the firſt of March 1558, there was a declarator paſſed before the Lords of Councill and Seſſion, finding his liferent of the archbiſhoprick, teynds, rents, and profeits belonging thereto, and of all lands, &c. belonging to him holden of the king, to be fallen in the king's hand as eſcheit through the archbiſhop his being put to the horn, upon 12 December 1586, at the inſtance of John Burn miniſter at Innerkeithing, for not payment to him of 100 libs. Scots aſſigned to him in ſtipend furth of the teynds of the archbiſhoprick; and, therefore, decerning the archbiſhop to have tint his liferent of the ſaids lands, teynds, &c.] In 1589 the kirk cenſured him with deprivation for marrying [George Gordon] the Earle of Huntlie, with [Henrietta Stewart] the Duke of Lennox's ſiſter, upon the king's warrant and order: But the king did not approve thereof, nor did the archbiſhop ſubmitt to the ſentence. In 1591 the Puritanes publiſhed a write, which they named his recantation, juſtlie ſuſpect to be counterfeit by themſelves while he lay a dying in great diſtreſs in his fortune through their means. He was a learned, zealous, pious, and eloquent prelate, and hath left behind him good proofs thereof. While he was archbiſhop he made a notable reformation in the univerſitie of St Andrews; he brought in the profeſſion of theologie into the New Colledge inſtead of philoſophie, and procured the change to be confirmed in parliament; he called Mr Andrew Melvill from Glaſgow to the New Colledge; but after that he had never peace nor comfort. Dr Howie ſayes of Adamſone, Hic regem nactus opportunum, et veteris diſciplinae eccleſiaſticae amantem, et multos alios in aula miniſtrorum intemperie offenſos et irritatos, gradum epiſcopalem omnibus viribus ſuffultus, etiam authoritate regia jam labantem ſtatuminavit; profligata preſbyterii authoritate, et gubernatione illa ſublata, quam recens paſtores introduxerant, tandem ſupplantatus ab aemulis,

aulica gratia exceſſit, et quum aliunde ſpes ſublevandae inopiae non effulgeret niſi ab aemulis, coactus fuit niſi fame perire voluiſſet, canere palinodiam, et gradum epiſcopalem, quem antea acerrime propugnabat, damnare. Palinodiam hanc tenebris quidam emiſit in vulgus, ſed varie interpolatam, et aſtutis multis, quae Adamſonus nunquam locutus eſt. Obiit anno 1591, in ſumma inopia.

After Adamſone's death the ſee vaiked, and none were admitted thereto for fifteen years. And the profeits and rents of the archbiſhoprick were given to the Duke of Lennox, till the eſtate of biſhops was reſtored, anno 1606.

GEORGE GLADSTANES, Biſhop of Caithneſs and miniſter of St Andrews, anno 1606, was created archbiſhop, and tranſlated to this ſee. This year paſt the act, famous for its title, Act anent the reſtitution of biſhops, which is miſconſtrued by ſome, as if before that the eſtate of biſhops had been utterlie overthrown in Scotland. But that was never intended, ſays Spotſwood; only by this act the temporalitie of biſhops (which by the act of annexations 1587, belonged to the crowne) was reſtored; for it is obſervable, that the ſame archbiſhop was before, while miniſter of St Andrews, Biſhop of Caithneſs, yea and Archbiſhop of St Andrews before the act; for he ſat in the parliament (that made the act) as ſuch, and therein conſented to the diſſolution of the caſtle of St Andrews, a pairt of the temporalitie of the archbiſhoprick, from the archbiſhoprick, ut vide in the act, and in chap. x. ſect. 7, 9. Shortlie after Gladſtane's his tranſlation to this ſee followed the conference at Hampton Court (the ſecond engagement of that nature had with the Puritane miniſters, the former being with theſe in England, this with the Scottiſh), ut videre eſt in Spotſwood, p. 497. Archbiſhop Gladſtanes died in the ſpring 1615, and was buried in the pariſh church of St Andrews, in the communion iſle thereof. He was a man moſt learned, eloquent, and of great

great invention; but as his immediate ſucceſſor hath it of an eaſie nature, and ſoon induced to doe many things hurtfull to the ſee. He uſed alwayes to preſide not only in the ordinarie meetings of the preſbyterie, but alſo at the public giving of degrees in the univerſitie in St Andrews (whereof virtute officii he was chancellor if he was upon the place). So great were his pairts, learning, and readieneſs, that in anno 1605, the plague breaking out in the toun of St Andrews, it is reported that the rector and all the univerſitie, in a morning about five o'clock, addreſt him in bed for breaking up the teaching and diſſolving the ſchollars; and it is ſaid he bade them be ready at the ringing of the bell, and that within two or three hours he appeared in public, diſcourſed upon the theame de foetu abortivo, conferred the degrees himſelfe, and ſo broke up the univerſitie for that year. This archbiſhop was called and brought thither at firſt by King James the ſixth from being miniſter at Ardbirlett, of purpoſe to ballance and poize Mr Andrew Melvill, and to guard the univerſitie and ſtudents againſt his principles, and to fence them from being tinged with his ſeditious and turbulent way; and many a hote bickering there was betwixt them thereupon.

JOHN SPOTSWOOD, that grave, ſage, and peaceable prelate, deſerves a ſingular note and mark of honour for his great labours in reſtoring the eſtate of biſhops ex jure poſt liminii; in governing the ſee of Glaſgow wiſelie for eleven years, and St Andrews and his turbulent church twenty-three years; for compoſing ane excellent liturgie; his recovering and bettering both theſe ſees to ſome tollerable competencie; procuring the priorie of St Andrews to be mortified and annext to the archbiſhoprick for ever; his prudent conduct in great matters the time he was chancellour in this kingdome; his wonderfull patience under his exile; his holy ſimplicitie and primitive diſpoſition and humilitie; his works of charitie (he built the church of Dairſy, the handſomeſt edifice of that kind

kind in the kingdome); his notable hiſtorie of the church of Scotland; beſide which he wrote alſo a litle tract, in good and refined Latine, called Refutatio libelli de regimine Eccleſiae Scoticanae, dedicate to King Charles the firſt, a learned and eloquent peece, pitifullie refuted by Mr David Calderwood, under the name of Dido Clavius; his numerous journeys and travells to England for the church and the king's ſervice; with many other great and excellent qualities in him and works done by him, which may be ſeen in his life, prefixt to his hiſtorie of the church. He recovered to the church 300 libs. ſterling yearlie of the revenues thereof, formerlie uplifted by the exchecker as annexed to, and incorporate with, the crown rents.

After the death of this worthie prelate, at London anno 1639, the ſee vaiked, yea and for ſome years of his life alſo; for he was chaſed away (and the vacancie of the ſee is compted to be twenty-three years) through the furious zeall of ſome enthuſiaſtick miniſters and corrupt laicks. But at length, almightie God pitying our miſeries, to reclaime us to repentance and a ſound mind, gave the kingdome and church the excellent bleſſing and mercie of our ancient government and governours, reſtoring the king [Charles the ſecond] to his crown and rights, and the people to their wonted and true religion and loyaltie, the ſenſe whereof wrought in his Majeſtie this ſuitable return, that he reſolved to recover the church from the anarchie, confuſion, and tyrannie under which it had ſo long groaned: and then by a moſt remarkable ſtep and direction of divine providence for undertaking this difficult work and working it out, his Majeſtie hit upon, and employed, that great and eminent perſone

James Sharp, a man of profound wiſdome, great courage, wonderfull zeall for God and his church, prudent conduct, and indefatigable labours in their ſervice. He by an unuſuall ſagacitie, pietie, ſenſe of dewtie, foreſight, and providence, revived and cheriſhed the ſmall remainder

mainder of loyaltie that remained among the miniſterie of this church, and for ſeven years maintained and defended the ſame in life and being againſt all the invidious inſinuations and ſecret and open practiſes of the undermining partie, till the happy change, and then he piteouſlie and dexterouſlie contributed his effectuall endeavours moſt ſucceſsfullie to the reſettling of the church of Scotland in its ancient and primitive offices and government, maugre all the oppoſition he met with from divers parties and perſwaſions, and by God's bleſſing and the king's favour on his labours, he effectuate that great work as if he had been borne thereto, which it is thought hardlie any other could have done. [A learned author, the Turkiſh Spy, gives him this character: A man of ane accurate and extraordinarie ſpirit, of a refined genius in ſciences, to which he brought no ſmall honour and reputation through the vaſtneſs of his abilities, his profound judgement, and dextrous ſagacitie in all things that he undertook. He got the higheſt and greateſt eccleſiaſtical dignitie in the kingdome from King Charles the ſecond, after his reſtoration to the throne, as a debt to his great abilities, and as a reward to his merits and ſervices, in labouring might and main to effect and compaſs the king's reſtoration: And he no ſooner acquired this honour but the enemies of kings and biſhops in Scotland perſecuted him with ſlanders and invectives, and the ſtreets ſwarmed with libells againſt him, and all becauſe of his endeavours to ſet up epiſcopacie in Scotland, which was ſubverted by the ſolemne league and the uſurper Oliver Cromwell.]

This fabrick, as it was his owne rearing, ſo while he lived he was the ſole Atlas thereof, upholding the ſame by his extraordinarie prudence, labours, watchfullneſs, courage, prayers, and fears, againſt all its enemies, ſecret and avowed, in the ſtate and in the church, diſappointing their deſigns and defeating their projects; and ſupported by his owne innocence and dewtie, with the reverence, conſtancie, and magnanimitie

proper to himſelfe and his character, undervaluing all perills and dangers, he encouraged ſome, and awed many, to a compliance; which eminent ſervices to God, the king, and the church, wrought and brought him to a crowne of martyrdome; for theſe procured him the inveterate and irreconceileable envy, hatred, and malice of the fanatick turbulent pairty; Turba gravis paci, placidaeque inimica quieti; whoſe mad furie cauſed his fall by ane inhumane and barbarous murder and paricide [committed upon him May 3, 1679, in Magaſk muir, about three miles from his owne houſe, by nine religious ruffians and helliſh aſſaſſins,] thereby ſacrilegiouſlie robbing God and his church of a worthie prelate; the king of a faithfull counſellor and ſervant; his countrie of ane excellent patriote; the government, ſpirituall and temporall, of a ſure pillar; all good ſubjects of a worthie friend and example; and myſelf of a dear and munificent patrone.

This archbiſhop did great matters for the univerſitie in St Andrews; procuring thereto a mortification from the king of 200 libs. ſterling anno 1668, to be paid yearlie furth of the exchecker for ever; by which mortification there was founded a profeſſor of mathematics [or medicine, as the archbiſhop ſhould think moſt proper; and the profeſſor is thereby appointed to teach in the old colledge; as alſo a profeſſion of the orientall languages, and the profeſſor appointed to teach in the New Colledge; and each of theſe profeſſors is provided to L 50 ſterling per annum out of the ſaid mortification.] He was anxiouſlie concerned that their affairs might go well, and their rents be dewly employed, and fit maſters be brought into vacancies; yea and deſigned much more to their advantage, and was often and much employed in viſitations of the univerſitie.

Upon the noble monument erected for him in the preſent cathedrall church of St Andrews, by the pietie of his worthie ſone, the attempt to his deſcription comes far ſhort of expreſſing his endowments and merits, [albeit much is truelie ſaid.]

The

The inſcription on the monument is thus:

DOM.

Sacratiſſimi antiſtitis, prudentiſſimi ſenatoris, ſanctiſſimi martyris,
cineres pretioſiſſimos
Sublime hoc teget mauſoleum.
Hic namque jacet
Quod ſub ſole reliquium eſt, reverendiſſimi in Chriſto patris,
D. D. Jacobi Sharp, Sti Andreae archiepiſcopi, totius Scotiae primatis, &c.
QUEM
Philoſophiae et theologiae profeſſorem academia;
Preſbyterum, doctorem, praeſulem, eccleſia
Tum eccleſiaſtici, tum civilis ſtatus miniſtrum primarium Scotia;
Sereniſſimi Caroli ſecundi monarchicique imperii reſtitutiones ſuaſorem
Britannia;
Epiſcopatus et ordinis in Scotia inſtauratorem Chriſtianus orbis;
Pietatis exemplum, pacis angelum; ſapientiae oraculum; gravitatis imaginem, boni et fidelis ſubditi;
Impietatis, perduellionis, et ſchiſmatis hoſtem acerrimum;
Dei, regis et eccleſiae inimici viderunt, agnoverunt, admirabantur.
QUEMQ;
Talis et tantus cum eſſet, novem conjurati parricidae, phanatico furore perciti, in metropoliticae civitatis ſuae vicinia, lucente meridiano ſole, chariſſima filia primogenita et domeſticis famulis vulneratis, lachrymantibus, reclamantibus, in genua, ut pro ipſis etiam oraret, prolapſum, quam plurimis vulneribus confoſſum, ſclopetis, gladiis, pugionibus, horrendum in modum trucidarunt.
30. Maii 1679, Aetatis ſuae 61.

Amongſt

Amongſt the many threnodies and epitaphs upon him, compoſed by ſundrei perſones the day of his interment, the following was one:

Reverendiſſimo in Chriſto patri
Jacobo Sti Andreae archiepiſcopo
Scotiae totius primati τω μακαριτω.
In confinio terrae coelique poſito;
Vultu inter homines ſuperoſque ambiguo;
Tantum non corpore coeliti;
Spiritu ultra coelites, niſu ingenii anhelante
Theologiae vertici, prudentiae apici,
Sacrae doctrinae lapidi lidio,
Vivo acumini, animatae ſubtilitati.
Veri { indigatori acri, inveſtigatori acuto,
affertori firmo, propugnatori ſtrenuo,
illuſtratori ſplendido.
Religionis lumini, virtutis columini,
Pietatis ideae, ſanctimoniae exemplari
Morum normae, recte vivendi regulae.
Quo nemo { ad excogitandum promptior,
ad inveniendum acrior
ad probandum aptior,
ad confutandum vehementior.
Quo nemo { altius ingenio erectus,
ſublimius fama elatus,
demiſſius pia humilitate abjectus
prudentia et virtute deo proprior,
opinione ſua remotior.
Vere Jehoiada Stephanus et Eliſha
Currus et equites Iſraelis.

FINIS.

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